

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66837 of 2022

Arising Out of PS. Case No.-405 Year-2022 Thana- MADHAURAH District- Saran

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Ravi Kumar Son of Suneshwar Ray Resident of Village- Sukla Toli Tejpurwa,
P.S.- Marhaurah, District- Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with
Marhowrah P.S. Case No.405 of 2022 registered for the offence
under Sections 467, 468, 471, 420, 414 and 120(B) of the Indian
Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 21.06.2022.

The allegation against the petitioner is to have in
possession of stolen motorcycle alongwith other co-accused



persons with further allegation to habitually deal with stolen motorcycle.

Learned counsel appearing on behalf of the petitioner submitted that the alleged stolen motorcycle was jointly occupied at the time of recovery and as such it can be safely gathered that alleged recovery of stolen motorcycle was not made from the conscious physical possession of the petitioner. It is also pointed out that seizure list appears doubtful being not supported by independent witnesses rather by police personnels. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as seizure list appears doubtful being not supported by independent witness, where petitioner is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be released on bail in connection with Marhowrah P.S. Case



No.405 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran, Chapra/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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