

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67503 of 2022**

Arising Out of PS. Case No.-92 Year-2022 Thana- MAHINDWARA District- Sitamarhi

Amarnath Sah Son Of Mahesh Sah Resident Of Village - Mohan Dih, Ward
No.- 15, P.S. - Dumra, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Md. Matloob Rab

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 07-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 379, 413, 414/34 of
the Indian Penal Code.

The allegation against the petitioner and co-
accused person is that they use to commit theft of the
vehicle and sell to co-accused Manoj Sahni from whose
possession stolen motorcycle has been recovered.

It is submitted by learned counsel for the
petitioner that the petitioner is innocent and he has



falsely been implicated in the present case. It is stated that the petitioner was apprehended at the time of checking of vehicle and seizure list was prepared in presence of two independent witnesses but seizure list was not attached in the F.I.R, which itself creates doubt on authenticity of the prosecution version of the case. It is also submitted that co-accused person, namely, Manoj Sahnai, from whose possession stolen motorcycle was recovered has been granted Bail by the learned lower Court. Moreover, the petitioner is languishing in judicial custody since 19.06.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Mahindwara P.S. Case No. 92 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 the learned Chief
Judicial Magistrate, Sitamarhi.

(Sunil Kumar Panwar, J)

nirajkrs/-

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