

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73766 of 2023

Arising Out of PS. Case No.-321 Year-2019 Thana- BETTIAH CITY District- West
Champaran

MITHUN KUMAR son of Shiv Mahto Village- Purvi Karaghaiya Lalu Nagar
W.No-7, Ps- Bettiah Muffasil Dist- W.Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Town P.S. Case no.321 of 2019 registered under section 379 of the Indian Penal Code to which section 411 of the Indian Penal Code was added subsequently.

3. As per the prosecution case, the informant states that on having parked his motorcycle, he had gone for some work. On returning he found his motorcycle missing and the same was not to be found inspite of search. He states that unknown accused persons have stolen his motorcycle.

4. Learned counsel for the petitioner submits that the F.I.R was registered against unknown. Referring to the order of the learned trial Court, it is stated that contrary to the allegations



therein, no incriminating article has been recovered from the petitioner's possession who has been falsely implicated in the case by the police in a series of cases. It is submitted that the police submitted a petition on 23.12.2021 and he was remanded in this case on the said date. He is in custody for about 1 year 11 months since 23.12.2021.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner, his being in custody for about 1 year 11 months since 23.12.2021 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Town P.S. Case no.321 of 2019 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 Judicial Magistrate, 1st Class, Bettiah, West Champaran.

(Partha Sarthy, J)

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