

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70411 of 2023

Arising Out of PS. Case No.-73 Year-2023 Thana- KHUDWA District- Aurangabad

SHRIKESH KUMAR @ SRIKESH KUMAR @ CHOTU KUMAR SON OF
SRI NAWAL KISHOR SHARMA R/O VILLAGE AND P.S.- KHUDWA,
DISTRICT- AURANGABAD, BIHAR- 824124

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratyush Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 401 and 414 of the
Indian Penal Code.

3. The allegation against the petitioner is that from his
possession a stolen motorcycle has been recovered.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner is an
innocent villager and worked in Production Department-GDC in
YF Solutions, Plot No. 358, Ecotech III, Greater Noida in U.P.
since 11.04.2023 and he has not involved in any criminal



activities as alleged. Due to high handedness by the police, petitioner has been implicated in the present case. There is no any independent eye-witness of the search and seizure list. Further, it is submitted that the trial of this case is triable by learned Judicial Magistrate. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 24.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Daudnagar, Aurangabad in connection with Khudwa P.S. Case No. 73 of 2023.

(Sunil Kumar Panwar, J)

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