

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69794 of 2022

Arising Out of PS. Case No.-140 Year-2022 Thana- PALASI District- Araria

Rijwan @ Khushbu S/O Mohsin Resident Of Village- Gopalnagar, Ward No-13, P.S.- Palasi, District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-02-2023 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 connection with Palasi P.S. Case No. 140 of 2022 registered under sections 413, 414 and 34 of the Indian Penal Code.

As per prosecution case, the police officials alleged that upon the information that motorcycles are parked in front of the house of the co-accused namely Kisto Sharma herein and three persons are standing there, seeing police they tried to escape but were apprehended and upon enquiry they failed to provide any document for the alleged motorcycles, after that all three motorcycles were seized by the police.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case at the instance of his enemies. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted from para-11 of this petition that all the seized motorcycles were recovered from the house of co-accused Kisto Sharma either from door or courtyard and no case of theft of motorcycles are pending or filed. The petitioner has no concern with the seized motorcycles. Similarly situated other co-accused has already been granted bail by different co-ordinate Bench of this Court vide order dated 12.02.2023. in Cr. Misc. No. 51792 of 2022. The petitioner is languishing in judicial custody since 30.04.2022.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Palasi P.S. Case No. 140 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 C.J.M., Araria.

(Sunil Kumar Panwar, J)

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