

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74049 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- TRIVENIGANJ District- Supaul

VIKASH KUMAR MEHTA @ VIKASH MEHTA Son of Badri Narayan
Mehta R/o vill - Satanpatti, ward no. 09, P.S. - Ratanpura, Distt. - Supaul
... .. Petitioner/s

Versus

THE STATE OF BIHAR
... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Arun, Advocate Mr. Thakur Brajesh Singh, Advocate Ms. Kanika, Advocate
For the Opposite Party/s :	Mr. Bishweshwar Ram, 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 Tribeniganj P.S. Case no.44 of 2023 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 when he had come in the marriage of his brother, he parked his motorcycle. Soon thereafter his motorcycle was missing and inspite of inquiries it was not to be found.

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 submitted that the petitioner was falsely implicated in the case in course of investigation wherein



it is alleged that the stolen motorcycle was recovered from the possession of the petitioner and one another. It is further submitted that the prosecution is relying on the confessional statement made before police. Contrary to the allegations, no incriminating article has been recovered from the petitioner's possession who has no criminal antecedent and is in custody since 26.2.2023. Charge-sheet has been submitted in the case.

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, the place of recovery as mentioned in the seizure list which forms part of the F.I.R, the petitioner being in custody since 26.2.2023, not having any criminal antecedent and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Tribeniganj P.S. Case no.44 of 2023 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 Court below/ Additional Sessions Judge-I, Supaul.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

