

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77424 of 2023

Arising Out of PS. Case No.-467 Year-2023 Thana- CHANPATIA District- West Champaran

Rupesh Kumar Son of Madan Mahto R/O Of Village- Khora, Ward No. 02,
P.S.- Chanpatia, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sagar Kumar, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Chanpatia P.S. Case No. 467 of 2023 instituted for the offences under Section 379 of the Indian Penal Code. Later on, Section 411 of the IPC was added.

3. As per prosecution case, in the night of 26.07.2023, the Informant parked his Hero Plus Splendor Motorcycle bearing Registration No. BR-22AU-3469 in the outhouse of his neighbour and went to sleep but, in the morning, he found that his motorcycle has been stolen by some unknown thieves.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. The petitioner is not named in the F.I.R. and nothing incriminating has been found from the possession of the petitioner. From the seizure list, it appears that the motorcycle was recovered from behind the Hanuman Mandir at Ratanpura Chowk. The offence is triable by the learned Magistrate. The petitioner has one criminal antecedent in which he is on bail. Charge-sheet has been submitted in this case.

5. The petitioner is in custody since 29.07.2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case as also taking into account the period of custody, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chanpatia P.S. case No. 467 of 2023.

(Rudra Prakash Mishra, J)

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