

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76633 of 2023

Arising Out of PS. Case No.-372 Year-2023 Thana- NOORSARAI District- Nalanda

1. Shashi Bhushan Kumar S/O Ganauri Paswan R/O Village- Nirpur, Jalalpur, P.S- Nalanda, Distt.- Nalanda (Bihar Sharif).
2. Lalu Kumar S/O Bulak Paswan R/O Village- Chausanda, P.S- Parwalpur, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Noor Sarai P.S. case No. 372 of 2023 instituted for the offences under Sections 379 and 411 of the Indian Penal Code.

3. The prosecution case relates to theft of motorcycle of the Informant by the unknown persons.

4. Learned counsel for the petitioner submits that the petitioners are innocent and have committed no offence as alleged in the F.I.R. The petitioners are not named in the F.I.R. rather their names have transpired in the present case on the basis of confessional statement of the co-accused Mani Bhushan Kumar @ Sanjeev Kumar @ Muni Gope who has stated in his statement that he had purchased the motorcycle from one Sonu



Kumar and Daroga Kumar. The petitioners have got no criminal antecedent as stated in paragraph no.3 of the present bail application. The petitioners have got no concern with the stolen motorcycle, in question.

5. Learned counsel for the petitioner further submits that the co-accused/Mani Bhushan Kumar @ Sanjeev Kumar @ Mani Gope has been granted bail by a Co-ordinate Bench of this Court vide order dated 02.12.2023 passed in Cr. Misc. No. 74515 of 2023.

6. The petitioner is in custody since 12.08.2023.

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

8. Considering the entire facts and circumstances of the case and the period of custody as also the petitioners having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Noor Sarai P.S. Case No. 372 of 2023.

(Rudra Prakash Mishra, J)

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