

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2612 of 2023

Arising Out of PS. Case No.-477 Year-2022 Thana- KATIHAR NAGAR District- Katihar

SURAJ KUMAR S/O Late Dilip Panjiyara R/O Mirchai Bari, P.S- Katihar
(Sahayak), District- Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 379 of the Indian Penal Code but later on cognizance has been taken u/s 379, 411 of the I.P.C.

The prosecution story, in brief, is that the informant alleged that he parked his motorcycle on the road in front of the clinic of Dr. N.K Jha and went inside the clinic but after half an hour when he came out of the clinic, he did not find his motorcycle. Thereafter, on the basis of CCTV footage, he came to know that his motorcycle has been stolen.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further



submitted vide para-8 of the petition that the informant and the petitioner were well known to each other and petitioner had purchased the said motorcycle from the informant but due to some dues ownership was not transferred. When informant's father asked him about the motorcycle then in order to save his skin, the informant narrated the story of theft and implicated the petitioner. It is further submitted that this case relates to trial by Magistrate. The petitioner has got no criminal antecedent and languishing in judicial custody since 12.8.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Katihar Town P.S. Case No. 477 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar.

(Sunil Kumar Panwar, J)

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