

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80987 of 2023

Arising Out of PS. Case No.-567 Year-2023 Thana- GARDANIBAG District- Patna

Rahul Kumar Son of Bahadur Thapa Resident of Mohalla- Infront of R. Block
Petrol Pump Behind The Pani Tanki, P.S. Sachivalaya, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

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

ORAL ORDER

2 22-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Gardanibagh P.S. Case No. 567 of 2023 instituted for the
offences under Section 379 of the Indian Penal Code.

3. The prosecution case, in short, is that the Informant
had parked his motorcycle bearing Registration No. BR01CY-
4134 outside his own house but, when he woke up in the
morning at 5.00 AM, he did not find his motorcycle there. The
Informant tried to search his motorcycle unsuccessfully.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has one criminal antecedent. The



petitioner is not named in the F.I.R. and his name has surfaced in this case due to Mohalla politics and on his own statement. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is languishing in judicial custody since 09.08.2023. Charge-sheet has been submitted in this case. The petitioner is not concerned in any manner with the alleged motorcycle.

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

6. Considering the entire facts and circumstances of the case as also taking into account the nature of accusation, 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 Gardanibagh P.S. Case No. 567 of 2023.

(Rudra Prakash Mishra, J)

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