

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6521 of 2024

Arising Out of PS. Case No.-261 Year-2023 Thana- JALALPUR District- Saran

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Bhim Kumar S/O Bijesh Mahto R/O Village- Deoriya, P.S- Revelganj, Distt.- Saran At Chapra (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Jalalpur P.S. case No. 261 of 2023 instituted for the offences under Section 392 of the Indian Penal Code.

3. Prosecution story, in short, is that three unknown miscreants looted the motorcycle, mobile phone and bag of the informant on the point of pistol.

4. Learned counsel for the petitioner submitted that petitioner has falsely been implicated in the present case. F.I.R. has been lodged against three unknown persons. The name of the petitioner came into light on the basis of confessional statement of the co-accused Vikash Kumar. No specific overt act is alleged against this petitioner. Learned counsel further submitted that though the motorcycle has been recovered from



the garage of this petitioner, he had no knowledge regarding the same being a stolen one. Learned counsel further submitted that the said motorcycle was parked by co-accused Vikash Kumar on his request. Learned counsel further added that petitioner had no knowledge that the said motorcycle was stolen one. No T.I.P. has been conducted till date. Petitioner is in custody since 08.10.2023 and has no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, no criminal antecedent as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Jalalpur P.S. case No. 261 of 2023.

(Rudra Prakash Mishra, J)

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