

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9631 of 2024

Arising Out of PS. Case No.-194 Year-2023 Thana- CHANDAN District- Banka

Umesh Das S/O- Dahru Das R/O- Narhibari, P.S.- Chandan, Dist.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Chandan P.S. Case no.
194 of 2023 registered under section 392 of the Indian Penal
Code.

3. As per the prosecution case, the informant states
that he was forcibly stopped, assaulted with the stick and
thereafter the accused persons took away his motorcycle. He
claims that he can identify the accused on seeing him again. It is
further stated by the informant that on inquiry by the villagers, it
transpired that the petitioner is involved in the occurrence.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case at the instance
of the so-called villagers who are on inimical terms with him.



Referring to the order of the learned trial Court it is submitted that the motorcycle was not recovered from possession of the petitioner but was recovered from near the forest. The petitioner is in custody since 6.12.2023 and he has not been put on T.I parade. He undertakes to cooperate in the trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R, the motorcycle in question not having been recovered from petitioner’s possession and his being in custody since 6.12.2023, the petitioner is directed to be enlarged on bail in connection with Chandan P.S. Case no. 194 of 2023, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka.

(Partha Sarthy, J)

Harsh/-

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