

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18471 of 2024

Arising Out of PS. Case No.-782 Year-2023 Thana- KHAGARIA District- Khagaria

Ajay Kumar S/O Ram Balak Sahni @ Ram Balak Sahani R/O Village- Birpur,
(Birpur Purbi, Ward No. 11, P.S- Birpur, Distt. Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate
For the State : Mr. Ram Sevak Choudhary, APP

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

ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Khagaria (Muffasil) P.S. Case No. 782 of 2023 instituted for the
offence under Sections 457 & 380 of the Indian Penal Code.

3. Prosecution case in short is that on 01-08-2023,
two miscreants had entered into the house of the informant by
breaking the door of the informant and had stolen one black
colour motorcycle.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 28-08-2023. Petitioner
bears one criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Raja Kumar, and the same has no evidentiary value. It is submitted that motorcycle has neither been recovered from the possession of the petitioner nor from the house of the petitioner. It is lastly submitted that charge sheet has already been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Khagaria (Muffasil) P.S. Case No. 782 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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