

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21452 of 2024

Arising Out of PS. Case No.-16 Year-2024 Thana- DHAKA District- East Champaran

1. Sunny Kumar Son of Mahadev Prasad Kushwaha Resident of vill.- Karsahiya, P.S.-Dhaka, Distt.-East Champaran
2. Munna Kumar Son of Jai Narayan Mahto @ Jai Narayan Resident of vill.- Karsahiya, P.S.-Dhaka, Distt.-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar, Advocate

For the Opposite Party/s : Ms. Dr. Indiar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 06-05-2024 Heard learned counsel for the petitioners and learned APP for the State and perused the case diary.

2. The petitioners seek bail in connection with Dhaka P.S. Case No. 16 of 2024 instituted for the offence under Sections 413, 414 & 34 of the Indian Penal Code.

3. Prosecution case in short is that there is recovery of four stolen motorcycles from the Kushwaha Motorcycle Workshop.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 09-01-2024. Petitioner No. 1 bears two criminal antecedent and petitioner No. 2 is a man of clean antecedent.

5. It has been further submitted by the petitioners'



counsel that petitioners have been falsely implicated in the present case. It is submitted that nothing has been recovered from the conscious possession of the petitioner or his workshop, rather it is recovered from the backside of the Kushwaha Motorcycle Workshop, which does not belong to the petitioners. It is next submitted that there is no eye witness to the seizure list. It is lastly submitted that charge sheet has been already 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, charge sheet being submitted and period of custody of the petitioners, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail, **after framing of charge, if not already framed**, 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 Dhaka P.S. Case No. 16 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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