

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26049 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- KHAGAUL District- Patna

Rahul Kumar @ Vikky Kumar @ Vikky Son of Sri Uday Mahto @ Uday Kumar Mahto @ Uday Kumar Resident of Village- Laxmanpur, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 05-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Khagaul P.S. Case No. 15 of 2024, instituted for the offences punishable under Section 379 of the Indian Penal Code and later on Section 411 of the Indian Penal Code was added.

3. The prosecution case, in short, is that, the motorcycle of the informant was stolen from the courtyard of Danapur railway station.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case merely on the basis of suspicion. Charge-sheet has been submitted in this case. The petitioner is not named in the



F.I.R. No incriminating material has been recovered from the conscious possession of the petitioner. It is further submitted that neither the said motorcycle has been recovered from the physical possession nor from the house of the petitioner. The said vehicle has been recovered from Railway Platform No. 1A of Danapur railway station near Railway Over Bridge. The petitioner is in custody since 20.01.2024 and has got no criminal antecedent.

5. Learned APP 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, clean antecedent and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khagaul P.S. Case No. 15 of 2024.

(Rudra Prakash Mishra, J)

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