

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28124 of 2024

Arising Out of PS. Case No.-717 Year-2023 Thana- CHANPATIA District- West Champaran

Nitish Kumar @ Gyani Kumar @ Parashuram Kumar @ Prashuram Kumar
Son Of Rajesh Sah @ Girish Sah @ Girgit Sah Resident Of Village- Pipra
Ward No. 3,Ps- Chanpatiya, Dist- West Chaparan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

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

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Chanpatiya P.S. case No. 717 of 2023 instituted for the offences
under Sections 380 and 411 of the Indian Penal Code.

3. Prosecution case, in short, is that the informant's
motorcycle was stolen from his house by unknown person.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case merely
due to suspicion. Petitioner is not named in the FIR. The stolen
motorcycle was recovered from the front of the house of the one
Shekh Mansoor Alam and police, on the basis of suspicion
arrested this petitioner from the said place. He further submitted



that nothing has been recovered from the possession or from the house of this petitioner. Petitioner has got no concern with the motorcycle in question. Except suspicion, there is no material against this petitioner. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.01.2024 (as per para-12 of the present bail application) 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 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 Chanpatiya P.S. case No. 717 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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