

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28726 of 2024

Arising Out of PS. Case No.-143 Year-2023 Thana- BRAHMPURA District- Muzaffarpur

Sajan Kumar Son Mahadev Bhagat R/O Village- Bochharpur, P.S- Dumra,
Distt.- Sitamarhi. At Present R/O Village And P.S- Runnisaidpur, Distt.-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar, APP

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

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Brahampura P.S. Case No. 143 of 2023 instituted for the offence
under Section 379 of the Indian Penal Code.

3. Prosecution case is based on a written application
to the SHO, wherein it is alleged that motorcycle of the
informant was stolen by some unknown miscreants.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 01-11-2023. Petitioner
bears ten criminal antecedents, 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 dragged in this case during course of investigation on the basis of confessional statement of the co-accused, and the same has no evidentiary value. Nothing has been recovered from the possession of the petitioner.

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 and manner of petitioner's implication, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Brahampura P.S. Case No. 143 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

