

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28391 of 2024**

Arising Out of PS. Case No.-215 Year-2023 Thana- BRAHMPURA District- Muzaffarpur

Sajan Kumar S/O Mahadev Bhagat R/O Village- Bochharpur, P.S- Dumra,
Distt.- Sitamarhi. At Present Resident Of 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
For the Opposite Party/s : Mr.Sanjay Kumar

**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
Brahmpura P.S. Case No. 215 of 2023 instituted for the offences
under Section 379 of the Indian Penal Code.

3. As per prosecution case, some unknown persons
have stolen the motorcycle of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Petitioner is not named in the FIR and the same
has been lodged against unknown persons. The name of the



petitioner has come into light merely on the basis of suspicion. The petitioner has got no concern with the alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted in this case. The petitioner has remanded in this from another case on 23.12.2023 and since then he is languishing in judicial custody and has ten criminal antecedents.

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

6. Considering the facts and circumstances of the case as well as 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 **after framing of charge, if already not 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. 215 of 2023, Subject to following conditions:

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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