

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32498 of 2024**

Arising Out of PS. Case No.-338 Year-2023 Thana- BAIRIYA District- West Champaran

Pravesh Kumar @ Prabesh Kumar Son of Mohan Prasad Resident of Village-  
Laukariya Pokhariya Tola ward no- 03 P.S- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

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

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

ORAL ORDER

2      01-05-2024              Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with Bairiya  
P.S. Case No. 338 of 2023 instituted for the offence under  
Section 379 of the Indian Penal Code.

3.      Prosecution case in short is that two motorcycles  
were stolen away from the house of the informant by the  
unknown miscreants.

4.      It has been submitted on behalf of the petitioner  
that the petitioner is in custody since 01-02-2024. Petitioner  
bears one criminal antecedent, 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 transpired on the basis of confessional statement of co-accused, namely, Deepu Kumar, and the same has no evidentiary value. No incriminating article has been recovered from the possession of the petitioner. It is lastly submitted that charge sheet has already been 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, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Bairiya P.S. Case No. 338 of 2023.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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