

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39868 of 2024

Arising Out of PS. Case No.-412 Year-2023 Thana- ATHMALGOLA District- Patna

Shakti Kumar @ Shakti Singh Son of Shiv Shankar Singh @ Sita Singh
Resident of Village - Budhara, P.S. - Athmalgola, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-06-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Athmalgola P.S. Case no.412 of 2023 registered under section 414 of the Indian Penal Code.

3. As per the prosecution case, on search, stolen motorcycle was recovered from behind the house of the petitioner leading to registration of the F.I.R.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. Even as per the allegations, the alleged recovery is from an open place behind the house of the petitioner which admittedly is not under the exclusive control of this petitioner. The petitioner is in



custody since 17.12.2023 and the cause of false implication of the petitioner is his antecedents. Chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the alleged place of recovery of the stolen motorcycle being behind the house of the petitioner, the petitioner being in custody for over 5 months since 17.12.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Athmalgola P.S. Case no.412 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Barh, Patna.

(Partha Sarthy, J)

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