

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41479 of 2024

Arising Out of PS. Case No.-363 Year-2023 Thana- TRIVENIGANJ District- Supaul

Mahesh Kumar S/O TARANAND SARDAR R/O VILLAGE- KARMINIYA,
WARD NO. 3, P.S- TRIVENIGANJ, DISTT.- SUPAUL.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Goutam, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-06-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with S. T. No. 445 of 2023 arising out of Triveniganj P.S. Case No. 363 of 2023 dated 01.09.2023 registered for the offences punishable u/s 394 of the Indian Penal Code and later on Sections 395 and 412 of the Indian Penal Code has been added.

3. As per the prosecution case, three unknown miscreants are alleged to have taken the motorcycle of the informant on the point of the pistol. It is further alleged that the said motorcycle was recovered from the possession of the petitioner and the co-accused person.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has surfaced in this case during the course of investigation. It is further submitted that the motorcycle was being driven by the co-accused, Ashish Kumar and the petitioner was the pillion rider of the said motorcycle but he has no knowledge as to how the co-accused, Ashish Kumar has stolen the motorcycle. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul in connection with S.T. No. 445 of 2023 arising out of Triveniganj P.S. Case No. 363 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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