

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39812 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- BELCHHI District- Patna

Karan Kumar Son of Sunil Saw @ Soni Saw Resident of Village - Berhna,
Narsanda, P.S.-Harnaut, District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Adv.
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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

ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Belchhi
P.S. Case No. 28 of 2024 instituted for the offences under
Sections 379, 414, 34 of the Indian Penal Code.

3. As per prosecution case, the police, in course of
patrolling duty, caught two persons on black motorcycle R15
bearing Regd. No. BR01FZ5457 who disclosed their names as
Saurav Kumar and Karan Kumar (the petitioner). On
interrogation, they disclosed that the motorcycle is of stolen
one. They also accepted that they have stolen the alleged
motorcycle from New Jaganpura colony of Ramkrishna Nagar.
From the Challan Machine, it appeared that the owner of the



alleged motorcycle is Sunil Kumar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case mere on suspicion. He submits that the alleged motorcycle was being driven by co-accused Saurav Kumar and the petitioner was the pillion rider. There is nothing against the petitioner in the entire case diary. Charge-sheet has been submitted in this case. The petitioner has no concern with the alleged motorcycle. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent being Ramkrishna Nagar P.S. Case No. 566 of 2022 for offence under Section 379 of the I.P.C. which was lodged in relation to the present motorcycle. The petitioner is languishing in judicial custody since 23.02.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Belchhi P.S. Case No. 28 of 2024.

(Rudra Prakash Mishra, J)

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