

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37647 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- KALYANPUR District- Samastipur

1. Nitish Kumar SON OF RAMBRIKSHA YADAV Resident of village - Taralahi PS- Bahadurpur, District - Darbhanga
2. RAKESH KUMAR SON OF RAJA RAM YADAV Resident of village - Taralahi PS- Bahadurpur, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shanker Singh

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 10-07-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Kalyanpur P.S. Case No. 84 of 2024 lodged on 02.04.2024 under Section 414/34 of the Indian Penal Code.

3. As per the prosecution case, F.I.R. has been lodged against five named accused persons including the present petitioners with an allegation that they were driving stolen motorcycle.

4. Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. Counsel also submits that the motorcycle which they were driving was of



co-villagers who has not filed any case of stolen motorcycle. Counsel submits that the section is which F.I.R. has been lodged is triable by Magistrate. Counsel further submits that the criminal antecedent of the petitioner is clean and the petitioner is in custody since 03.04.2024. He further submits that other co-accused person has been granted bail vide order dated 28.05.2024 passed in Cr. Misc. No. 38932 of 2024. Charge-sheet has already been framed.

5. Learned APP for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named by granted bail *after framing of charge, if the charge is not framed yet* and on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Samastipur in connection with Kalyanpur P.S. Case No. 84 of 2024 subject to the condition laid down under Section 437(3) of the Cr.P.C.

(Dr. Anshuman, J)

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