

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37894 of 2024

Arising Out of PS. Case No.-108 Year-2024 Thana- PANCHRUKHI District- Siwan

Tinku Kumar @ Jitesh Kumar, aged about 20 years, Male, Son Of Oshihar Singh Village- Sona Pipar Ps- Pachrukhi, Dist- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vijay Bardhan Pandey, Advocate
For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 09-07-2024 This matter has been listed under the heading ‘For Orders (on office notes)’.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioner seeks bail in connection with Pachrukhi P.S. Case No. 108 of 2024 dated 06.04.2024 registered for the offences punishable under Sections 414/34 of the I.P.C.

4. As per the prosecution case, on 05.04.2024, the informant was on patrolling duty, in the meantime, two co-accused persons, namely, Guddu Ansari and Rinku Kumar riding on a motorcycle without number plate were apprehended. It is further alleged that the informant seized the said motorcycle



bearing Chassis No. MBLHAW121LHG14065 and Engine No. HA11EYLHG15045 and they did not produce any documents of the said motorcycle.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that on 03.04.2024, the co-accused Guddu Ansari has come before the petitioner for selling the said motorcycle or mortgage for Rs. 20,000/- but the petitioner said that this time he has no money but as and when the money will be arranged he would purchase the said motorcycle. It is further submitted that on 05.04.2024, when meeting was going between the petitioner and the co-accused Guddu Ansari for selling of the said motorcycle, in the meantime, police came and arrested the petitioner and the co-accused Guddu Ansari. The petitioner had no knowledge that the said motorcycle is a stolen property. The said co-accused Guddu Ansari has been granted bail by a Bench of this Court vide Cr. Misc. No. 42554 of 2024 under order dated 25.06.2024. No incriminating article has been recovered from the possession of the petitioner. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 06.04.2024.

6. Learned A.P.P. for the State has vehemently



opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, 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 Chief Judicial Magistrate, Siwan or Successor Court, Siwan in connection with Pachrukhi P.S. Case No. 108 of 2024.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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