

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39639 of 2024

Arising Out of PS. Case No.-810 Year-2023 Thana- GARDANIBAG District- Patna

1. Vinay Mandal Son of Surendra Mandal Resident of Village - Masdah, P.S.- Rasalpur, District - Bhagalpur
2. Deepak Mandal @ Deepak Kumar Son of Bhatuk Mandal Resident of Village - Masdah, P.S.- Rasalpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachina, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-06-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Gardanibagh P.S. Case no.810 of 2023 registered under section 379 of the Indian Penal Code.

3. As per the prosecution case, the informant states that his motorcycle, which was parked, was stolen by unknown accused persons at night. In spite of search, it was not to be found.

4. Learned counsel for the petitioners submits that the FIR was registered against unknown. The name of the petitioners transpired in course of investigation on the allegation



that the petitioners had been made accused in Kahalgaon P.S Case no. 11 of 2024 registered under the Bihar Prohibition and Excise Act, 2016 wherein as per the allegations, the petitioners were caught carrying illicit liquor on the motorcycle of the present informant. Learned counsel for the petitioners submits in reference to the FIR of Kahalgaon P.S Case no. 11 of 2024 that there is no mention of any stolen motorcycle in the seizure list therein. However, in the said case subsequently a petition was filed by the Investigating Officer for adding the recovery of stolen motorcycle which was rejected vide order dated 23.1.2024, a copy of which has been brought on record as Annexure P/3 to the petition. The petitioners are in custody since 3.2.2024 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the submissions made by learned counsel for the petitioners as noted herein above, the petitioners being in custody since 3.2.2024 and charge-sheet having been submitted in the case, the petitioners are directed to be enlarged on bail in connection with Gardanibagh P.S. Case no.810 of 2023 on each of them



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)
with two sureties of the like amount each to the satisfaction of
the learned Judicial Magistrate, 1st Class, Patna.

(Partha Sarthy, J)

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