

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38605 of 2024

Arising Out of PS. Case No.-510 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Rahul Kumar S/O Laxam Mahto R/O Village- Keshonarayanpur, P.S. Tajpur,
Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Patori P.S. Case No. 510 of 2023 lodged on 02.08.2023 under
Section 379 and 411 of the Indian Penal Code.

3. As per the prosecution case, F.I.R. has been lodged
against present petitioner against whom there is an allegation of
theft of motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
further submits that the antecedent of the petitioner is not clean
and there are five cases pending against him in which he is on
bail. The petitioner is in custody since 04.08.2023. Counsel
further submits that petitioner is the victim in the present case as



he was going to return the alleged motorcycle and in the meantime police has apprehended him. Counsel further submits that the offence in which case has been lodged is triable by Magistrate

5. Learned APP for the State opposes the prayer for bail and submits that the recovery of the said motorcycle has been made from the conscious possession of the petitioner

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner 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 Chief Judicial Magistrate, Samastipur in connection with Patori P.S. Case No. 510 of 2023 subject to the condition laid down under Section 437(3) of the Cr.P.C.

7. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:

- Tajpur P.S. Case No. 331 of 2022.
- Tajpur P.S. Case No. 344 of 2022
- Tajpur P.S. Case No. 505 of 2022



- Vidyapati Nagar P.S. Case No. 139 of 2022.
- Mahnar P.S. Case No. 170 of 2023.

(Dr. Anshuman, J)

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