

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38838 of 2024

Arising Out of PS. Case No.-149 Year-2023 Thana- KOPA District- Saran

=====

KUNAL SINGH SON OF BALISTAR SINGH RESIDENT OF VILLAGE -
KOPA DAKSHIN TOLA, POLICE STATION - KOPA, DISTRICT - SARAN
AT CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Narendra Kumar, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, APP.

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 379, 411, 414 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 25.06.2023 at 1 AM, the informant got secret information that the petitioner had brought a stolen motorcycle whereupon the informant along with other police personnel arrived at the house of the petitioner. Seeing the police force, one person fled away taking advantage of darkness. His house was searched and a motorcycle was found standing there. On demand of its paper, no paper was produced nor any satisfactory reply was given.



4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and he has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. It is further submitted that the recovery was not made from the physical possession of the petitioner rather the recovery has been made from the joint house of the petitioner in which family members of *pattidar* of the petitioner also resides. It is further submitted that the date of occurrence is 25.06.2023 and the written report of the said occurrence was submitted by the informant to the S.H.O. of Kopa Police Station on 27.06.2023, but it appears from the FIR that the same has been registered on 08.07.2023 after lapse of 12 days of the said occurrence, which creates serious doubt about the prosecution case. He further submits that the petitioner is a student and he has no role in the alleged occurrence rather he has been made accused in the present case due to high handedness of police party. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the



case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kopa P.S. Case No. 149 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

