

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43226 of 2024

Arising Out of PS. Case No.-1019 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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Kamlesh Kumar Ram son of Chhotelal Ram R/o- Paithan Patti Ps-
Manjhagarh Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Adv

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gopalganj P.S. Case No. 1019 of 2023 dated 26.12.2023 registered for the offences punishable u/s 411,413 and 414 of the Indian Penal Code.

3. As per the prosecution case, on 25.12.2023 the informant found a person on motorcycle in suspicious condition near *Thawe Bypass Bridge*. On being inquired, the accused person failed to submit the valid document of the motorcycle and disclosed his name as *Zeeshan Ali* and further he disclosed that he stole motorcycle and brought it to *Janak Shrivastava garage* and sold it where the garage owner *Kamlesh Kumar*



Ram (Petitioner) cut the motorcycle in parts and sold to customers by changing the numbers of the motorcycle. The accused persons are involved in buying and selling of motorcycle. On the basis of above application, a seizure list was prepared and the present F.I.R has been lodged.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has transpired in this case on the basis of confessional statement of the co-accused *Zeeshan Ali*. It is further submitted that the petitioner works as a mechanic in garage and he has nothing to do with the seized motorcycle. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 27.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, 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 Court concerned,
Gopalganj, in connection with Gopalganj P.S. Case No. 1019 of
2023, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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