

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39836 of 2024

Arising Out of PS. Case No.-167 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Raushan Kumar S/O Nand Kishor Ram R/O Village Rampur Jaypal, P.S.
Bochahan, Distt-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Adv.

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Ahiyapur P.S. Case No. 167 of 2024 instituted for the offences
under Section 414 of the Indian Penal Code.

3. As per prosecution case, the police, has recovered
and seized one stolen motorcycle bearing Regd. No. DL13SJ-
2908 from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to dirty local politics and previous grudge. He further
submits that as a matter of fact, the petitioner was arrested near
the place of occurrence while he was returning to his house from
Muzaffarpur market along with his friend Nitesh Kumar and he



had taken lift on motorcycle of his friend. Apart from the alleged motorcycle, nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has two criminal antecedents and, in both of them, he is on bail and is languishing in judicial custody since 04.02.2024 without any rhymes or reason. Charge- He has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ahiyapur P.S. Case No. 167 of 2024.

(Rudra Prakash Mishra, J)

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