

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40904 of 2024**

Arising Out of PS. Case No.-258 Year-2024 Thana- AURANGABAD TOWN District-
Aurangabad

Balwant Kumar S/O Aketa Mehta R/O Village Saya-Parsa, P.S. Mali, Distt-
Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Purushotam Sharma
For the Opposite Party/s : Mr. Rana Randhir Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 11-06-2024 Heard learned counsel appearing on behalf of

the parties.

2. The petitioner seeks bail in connection with

Aurangabad (Town) P.S. Case No. 258 of 2024

registered for the offence under Sections 379, 413, 414,

34 of the I.P.C.

3. The petitioner is not named in the F.I.R. and

is in custody since 04.04.2024.

4. The allegation against the petitioner is to

have in the possession of stolen motorcycle along with

other co-accused person.



5. Learned counsel appearing on behalf of the petitioner submitted that the alleged motorcycle recovered from the parking of the house where the petitioner was tenant. It is submitted that the said house was occupied by different families as tenant and as such it can be safe to said that the alleged motorcycle was not recovered from the possession of the petitioner. It is further pointed out that co-accused Bittu Kumar with same set of allegation has already granted bail by one of the learned co-ordinate Bench of this Court in Cr. Misc No. 38843 of 2024 vide order dated 27.05.2024. While concluding the argument, it is submitted that the investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of the aforesaid facts and circumstances as recovery of alleged stolen motorcycle not appears to be made from the possession of the



petitioner, coupled with fact that charge-sheet has already been submitted where the petitioner is in jail since 04.04.2024, let the petitioner, above named, is directed to be released on bail in connection with Aurangabad (Town) P.S. Case No. 258 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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