

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44538 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- NEORA District- Patna

Fantush Kumar Son of Chhotan Ram R/O Village- Kanhauli, P.S.- Bihta,
District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Choudhary
For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 27-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Neora
P.S. Case No. 14 of 2024 instituted for the offences under
Section 379 of the Indian Penal Code.

3. As per prosecution case, some unknown persons
have stolen the motorcycle of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Petitioner is not named in the FIR and the same
has been lodged against unknown persons. The name of the
petitioner has come into light merely on the basis of suspicion.
The petitioner has got no concern with the alleged occurrence



and he has been made accused in this case by confessional statement recorded by I.O. of Bihta P.S. Case No. 128/24. He further submitted that the alleged stolen motorcycle in this case has already recovered in connection with Bihta P.S. Case No. 128/2024. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 22.03.2024 and has three criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail **after framing of charge, if not already framed**, 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 Neora P.S. Case No. 14 of 2024.

(Rudra Prakash Mishra, J)

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