

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49278 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- FALKA District- Katihar

Biglu Kr Paswan @ Biglu Kumar Paswan @ Sonu Kumar S/O- Manoj
Paswan Resident of Village- Dhokwa, P.S.- Dhamdaha, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-07-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Falka P.S. Case no.52 of 2024 registered under sections 379, 411 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that on having received information about accused having stolen a motorcycle, it is stated that checking started. Seeing the police personnel, the accused Rupesh Kumar Bhagat made an attempt to escape but was caught. He did not produce any document for the motorcycle. On inquiry he disclosed that he is into theft of motorcycles along with his accomplices which included the petitioner herein.

4. Learned counsel for the petitioner submits that from the contents of the FIR itself it would be evident that



neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. The only material against him is the statement of co-accused made before police. The petitioner is in custody since 27.2.2024 and has no criminal antecedent. Chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR, no incriminating article having been recovered from his possession, his having remained in custody since 27.2.2024 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Falka P.S. Case no.52 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 the learned Judicial Magistrate 1st Class, Katihar.

(Partha Sarthy, J)

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