

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53320 of 2024

Arising Out of PS. Case No.-29 Year-2023 Thana- BALTHAR District- West Champaran

Md. Chhote @ Sheikh Chhote @ Md. Chhotu S/o- Shekha ReyajHasan Jad @
Mastan Shahjahan @ Gumbasta Village- Bherihari Ps- Purushottampur Dist-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 392 and 34 of the Indian Penal Code.

3. As per prosecution case, some unknown persons committed loot of two motorcycles and Rs. 16,000/- from the informant and one other person on the point of weapon.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in FIR rather his name has come during the course of investigation while the police claimed that the said motorcycle was recovered from the house of the petitioner. It is further



submitted from para-7 of this petition that police lodged separate case for recovery of the motorcycle bearing Purushottampur P.S. Case No. 50 of 2023 in which petitioner made an accused along with his father and brother. From para- 8 it is mentioned that at the time of recovery of the said motorcycle, the petitioner was not present there and in absence of him, his father was arrested from the house. It is also submitted that petitioner has not been put on TI parade. Moreover, the petitioner is languishing in judicial custody since 18.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Balthar P.S. Case No. 29 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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