

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53183 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

Raja Kumar Son of Vinod Sah Village- Rasalpur, Malmala, PS- Runnisaidpur,
Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

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

ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Runnisaidpur P.S. Case No. 44 of 2024 instituted for the
offences under Sections 414/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner along with
the co-accused has been caught from the spot with a stolen
motorcycle. It is alleged that the petitioner was driving the
alleged motorcycle.

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.



He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. 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 is languishing in judicial custody since 05.02.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused namely Md. Sajid has been granted bail by this Court vide order dated 05.04.2024 passed in Cr. Misc. No. 25374 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner is named accused in the F.I.R. and he has been arrested by the police on the spot along with a stolen motorcycle.

7. 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 Runnisaidpur P.S. Case No. 44 of 2024.

(Rudra Prakash Mishra, J)

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