

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54195 of 2024

Arising Out of PS. Case No.-416 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

Mithlesh Kumar, age 18 years, Male, Son of Wakil Ray, Resident of Village-
Makanpur P.S.- Moharpur OP, Patory District- Samstipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

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

2. The petitioner is in custody in connection with
Patory P.S. Case No. 416 of 2022 registered for an offence
punishable under Sections 397 and 411 of the IPC.

3. As per the FIR, the informant's motorcycle bearing
Registration No. BR 31K 9615 has been stolen away allegedly
by the petitioner and Dhiraj Kumar @ Dheeraj Kumar. The
occurrence of theft has been evidenced by one Lalbabu Paswan.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that the petitioner is named in the FIR and there is no
recovery from the conscious possession of the petitioner and he
has got no concern with the stolen motorcycle. He next submits



that similarly situated co-accused person namely Dhiraj Kumar @ Dheeraj Kumar has been granted bail by this Court passed in Cr. Misc. Nos.19770 of 2024 vide order dated 27.03.2024. Petitioner is in custody since 23.07.2023.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case as well as the fact that similarly situated co-accused persons have already been granted bail by this Court, let the above named petitioner be released on bail 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, Samastipur in connection with Patory P.S. Case no. 416 of 2022.

(Ramesh Chand Malviya, J)

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