

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54686 of 2024

Arising Out of PS. Case No.-178 Year-2024 Thana- DHAKA District- East Champaran

Sunil Sah @ Prem Sah S/O Ramlakshman Sah R/O Village- Auraiya, P.S-
Gaur Ward No. 4, Distt.- Rauthat, Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP

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

ORAL ORDER

3 13-11-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Dhaka
P.S. Case No. 178 of 2024 instituted for the offence under
Sections 414, 420, 468, 471 & 467/34 of the Indian Penal Code.

3. Prosecution case in a nutshell is that during course
of patrolling, two motorcycle riding persons were intercepted
and on inquiry it was found motorcycle was registered in
someone else name and he was unable to produce the valid
document.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 03-05-2024. Petitioner is a
man of clean antecedent.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner was arrested on the spot, but petitioner has no concern with the recovered motorcycle and petitioner was merely a passerby. No incriminating material has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C. It is lastly submitted that charge sheet has been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Dhaka P.S. Case No. 178 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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