

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55133 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- Bahera District- Gaya

Janardan Vishwakarma @ Janardhan Vishwakarma Son of Late Rambali
Vishwakarma Village- Budhani Bazar Dobhi, Ps- Dobhi, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

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

ORAL ORDER

4 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 Bahera P.S. Case No. 28 of 2024 instituted for
the offences under Sections 414, 420, 467, 468/34
of the Indian Penal Code.

3. As per prosecution case, the accusation
against the petitioner is of selling stolen
motorcycle to the co-accused Chandan Kumar by
taking a fake *Panchnama*.

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 which connects him with the alleged vehicle. The petitioner has no concern with the alleged vehicle but, merely on the basis of statement of the co-accused Chandan Kumar, he has been falsely implicated in the present case. He further submits that in course of investigation, the police has not collected any cogent material against the petitioner except the statement of the co-accused Chandan Kumar. The Investigating Officer after completion of investigation has submitted charge-sheet in this case. 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 no criminal antecedent and is languishing in judicial custody since 07.05.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant



of bail to the petitioner.

6. 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 and the petitioner having no criminal antecedent, 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 Bahera P.S. Case No. 28 of 2024.

(Rudra Prakash Mishra, J)

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