

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60619 of 2024

Arising Out of PS. Case No.-50 Year-2023 Thana- PURUSHOTTAMPUR District- West
Champaran

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Md. Chhote @ Md. Chhotu son of Hasan Jad @ Mastan Shahjahan @
Gumbasta Village- Bherihari, Ps- Purusottampur, Dist- West champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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

ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Purushottampur P.S. Case No. 50 of 2023 instituted for the
offences under Sections 414, 467, 468/34 of the Indian Penal
Code.

3. Prosecution case, in short, is that one stolen
motorcycle was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating/looted article has been recovered from the
conscious possession of the petitioner. Learned counsel further
submitted that petitioner was not apprehended on the spot.



Learned counsel further submitted that the motorcycle in question has been recovered from the joint house of the petitioner where other family members of the petitioner also reside. Learned counsel further submitted that petitioner has got no concern with the recovered motorcycle. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.08.2023 and has eight criminal antecedents.

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

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Purushottampur P.S. Case No. 50 of 2023, 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.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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