

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58180 of 2024**

Arising Out of PS. Case No.-439 Year-2023 Thana- KALYANPUR District- East Champaran

Munna Sah Son of Jitan Sah Resident of village -Patapariya PS- kalyanpur
District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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

ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Kalyanpur P.S. Case No. 439 of 2023 instituted for the offences under Sections 411, 413, 414/34 of the Indian Penal Code.

3. Prosecution case, in short, is that, on search made by the police, several parts of stolen motorcycles were recovered from the house of the co-accused person, namely, Jitan Sah.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The



name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Ankit Kumar made in connection with Kotwa P.S. Case No. 432 of 2023. Learned counsel further submitted that the co-accused Jitan Sah is the father of the petitioner who runs the *Kabadi* shop in his house and from where the alleged recovery has been made. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the alleged recovery of vehicles. It has been submitted on behalf of the petitioner that the petitioner has two criminal antecedents. The co-accused person has already been granted regular bail by this Bench vide order dated 20.02.2024 passed in Cr. Misc. No. 9034 of 2024.

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, let the petitioner, above named, in the event of arrest/surrender before the Court below within a period of six weeks from today, be released on anticipatory 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 Kalyanpur P.S. Case



No. 439 of 2023, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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