

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61292 of 2024

Arising Out of PS. Case No.-99 Year-2023 Thana- PATAHI District- East Champaran

Ghana Mahato Son of Late Gaganu Mahato @ Late Gagnu Mahto R/o
Village- Padumker, P.S.- Patahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Patahi P.S. Case No. 99 of 2023 registered under Section 379 of
the Indian Penal Code.

3. It is alleged that this petitioner along with other named
accused persons stole the motorcycle from the house of
informant.

4. Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case due to oblique motive. Further
submission is that the First Information Report has been lodged
after an inordinate delay of 9 days without assigning any
plausible explanation for delay which itself create a doubt over



the veracity of the prosecution case. Petitioner has no concern neither with the alleged occurrence nor with the other co-accused persons. No incriminating article has been recovered from the conscious possession of the petitioner. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the aforesaid facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Patahi P.S. Case No. 99 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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