

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71718 of 2023

Arising Out of PS. Case No.-495 Year-2022 Thana- RAMNAGAR District- West Champaran

Kanhaiya Mahato S/O Shri Gaya Mahato R/O Bahuarwa, P.S- Shanichari
(O.P), Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

5 02-04-2024 Heard learned counsel for the petitioner and learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Ramnagar P.S. Case No. 495 of 2022 instituted for the offence
under Section 379 of the Indian Penal Code.

3. As per the prosecution case, the informant parked
his motorcycle outside the Sub-Jail, Bagaha and went to the
Court for some work and upon return, found the said motorcycle
missing.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 23-10-2022. Petitioner
bears four criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Dilip Kumar, and the same has no evidentiary value. It is submitted that nothing has been recovered from the possession of the petitioner. Petitioner was not put on TI parade. It is lastly submitted that charge sheet has already 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, manner of petitioner's implication 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 Ramnagar P.S. Case No. 495 of 2022.

(Rudra Prakash Mishra, J)

Raj kishore/-

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