

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61491 of 2024

Arising Out of PS. Case No.-374 Year-2024 Thana- HARSIDHI District- East Champaran

Bhushan Sharma @ Bhushan Kumar Sharma Son of Late Nagendra Sharma
Resident of village- Pakariya P.S.- Harsidihi 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 : Ms. Renu Kumari, APP

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

ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Harsidhi P.S. Case No. 374 of 2024 instituted for the offences
under Sections 317(4) and 317(5) of the Bhartiya Nyaya
Sanhita, 2023.

3. As per prosecution case, the petitioner has been
apprehended at the spot along with seized stolen Bolero vehicle
bearing Registration No. BR29PA-3527 which was parked near
his house. On demand, no document was produced by him
regarding the said Bolero vehicle.

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. Learned counsel for the petitioner submits that the alleged stolen Bolero vehicle was not recovered from the premises of the petitioner rather the same was recovered near the house of the petitioner. He further submits that from the seizure list, it appears that there is no mention of specific place of recovery which shows that the same has not been recovered from the conscious or constructive possession of the petitioner. The petitioner has no concern with the seized Bolero vehicle. 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 one criminal antecedent and is languishing in judicial custody since 06.07.2024 without any rhyme 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, 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 Harsidhi P.S. Case



No. 374 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

