

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 64129 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- KUNDWACHAINPUR District- East
Champaran

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Awadhesh Kumar @ Awadhesh Ram @ Awadesh Kumar @ Awadesh Ram
Son of Arun Kumar @ Arun Kumar Ram Resident of Village- Balua Guabari
Balua Tola, Police Station -Kundwa Chainpur, District -East Champaran at
Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-09-2024 Heard the parties.

2. The petitioner seeks bail in connection with

Kundwa Chainpur P.S. Case No. 45 of 2024 registered

for the offence under Sections 379, 411/34 of the I.P.C.

3. The petitioner is not named in the F.I.R. and

is in custody since 09.04.2024.

4. The allegation against the petitioner is to

have in possession of stolen motorcycle bearing

registration no. BR22Y2526.

5. Learned counsel appearing on behalf of the

petitioner submitted that the facts of this case clearly



suggest that alleged recovery was not made from conscious physical possession of this petitioner. It is further submitted that petitioner has been falsely implicated in present case on the basis of self-confession and admittedly, he was not apprehended along with stolen motorcycle. While concluding the argument, it is submitted that the investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid facts and circumstances as the recovery of alleged motorcycle appears prima-facie doubtful from conscious physical possession of petitioner, coupled with fact that charge-sheet has already been submitted where petitioner is in custody since 09.04.2024, accordingly petitioner above named, is directed to be released on bail in connection with . Kundwa Chainpur P.S. Case No. 45 of 2024 on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sikrahana at Dhaka, East Champaran at Motihari /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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