

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71233 of 2023

Arising Out of PS. Case No.-94 Year-2023 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Sandip Kumar @ Golu Kumar @ Sanjeev Kumar Son of Nagi Mahto @
Rajvindra Prasad @ Devendra Prasad @ Nagi Prasad Resident of Village -
Dhaspur, P.s. - Manpur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gyanendra Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 395 of the Indian
Penal Code.

The prosecution case in nutshell is that while
the informant was returning to his home, ten miscreants
stopped his motorcycle and on the point of pistol, they
snatched his motorcycle bearing Reg. No. BR-21Z-0978
and one mobile from his possession and fled away.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor he has been put on T.I.P. The motorcycle bearing Reg. No. BR-21S-352 has been mentioned in the seizure list which has been seized from the house of petitioner but as per the F.I.R., the stolen motorcycle bear Reg. No. BR-21Z-0978, which creates doubt over the seizure list. Moreover, there is no independent witness of the alleged seizure. The petitioner is languishing in judicial custody since 29.05.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail.



The above named petitioner is directed to be enlarged on bail, **after framing of charge, if not framed**, in connection with Sheikhopur Sarai P.S. Case No. 94 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge, Sheikhpura.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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