

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71848 of 2023

Arising Out of PS. Case No.-466 Year-2023 Thana- GHORASAHAN District- East
Champaran

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Hareram Kumar @ Saurav Kumar Son Of Ashok Shah Resident Of Village-
Kasawa, Po- Kadamawa,Ps- Ghorashan, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Asif Kalim

For the Opposite Party/s : Mr.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 413 and 414 of the Indian Penal Code.

3. As per allegation in the FIR, on getting secret information of whereabouts of accused persons of a loot case, police party proceeded towards place of occurrence and on chase apprehended two accused persons with a motorcycle. Driver disclosed his name as of the petitioner and pillion rider disclosed his name as Nandkishore Prasad (co-accused). On search, three mobiles were recovered from co-accused and they accepted that they are indulged in loot and the alleged motorcycle is also a loot property.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Allegedly petitioner was arrested on spot but no article was recovered from his conscious possession. Prior to the present incident, no any case was registered regarding theft of seized motorcycle by anyone. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner is languishing in judicial custody since 4.8.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail **after framing of charge**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned ACJM, Sikrahana at Dhaka, East Champaran in connection with Ghorasahan P.S. Case No. 466 of 2023.

(Sunil Kumar Panwar, J)

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