

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78621 of 2023

Arising Out of PS. Case No.-519 Year-2020 Thana- KANTI District- Muzaffarpur

Ganesh Sahni Son of Dayali Sahni Resident of Village- Kanti Kothiya, Ps-
Kanti, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Kishore Singh, Adv.

For the Opposite Party/s : Mr.Mohammed Arif, APP

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

ORAL ORDER

5 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kanti
P.S. Case No. 519 of 2020 instituted for the offences under
Sections 457, 411 and 380 of the Indian Penal Code.

3. The prosecution case, in short, is that the
Informant woke up in the night at about 1 AM of
27.08.2020 and he found his motorcycle missing which he
had parked in the courtyard of his house.

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. The petitioner is not named in the F.I.R. Nothing incriminating has been recovered from the conscious possession of the petitioner rather the alleged motorcycle has been recovered from the joint house where several persons lived and has not concern with the theft motorcycle. The petitioner has one criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 10.05.2023 and the charge-sheet after investigation has been submitted in this case.

5. On the other hand, the learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the theft motorcycle has been recovered from the house of the petitioner and, thus, the petitioner does not deserve bail.

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 Kanti
P.S. Case No. 519 of 2020.

(Rudra Prakash Mishra, J)

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