

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78692 of 2023

Arising Out of PS. Case No.-205 Year-2023 Thana- SITAMARHI District- Sitamarhi

Md. Shan @ Md. Shaan Rain @ Ehsan @ Ehshan S/O Late Md. Nisar Village-
Mehsaal Gote @ Rampur Lachmi Near Azad Chowk, Ps. Sitamarhi, Dist.
Sitamarhi

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 29-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 413 and 414 of the IPC.

3. As per prosecution case, there has been recovery of
two stolen motorcycles from the possession of co-accused
persons.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not apprehended on spot.
The name of the petitioner has come into light on the basis of
confessional statement of apprehended co-accused namely, Raj
Kumar @ Raja and he has already been granted bail by a Co-



ordinate Bench vide order dated 19.10.2023 passed in Cr. Misc. No. 68530 of 2023. No incriminating article has been recovered from the possession of the petitioner. Only on the basis of suspicion and due to his criminal antecedents, petitioner has implicated in the present case by the police. He is languishing in judicial custody since 19.03.2023.

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 as well as the period of custody, this court is inclined to enlarge the petitioner on bail. 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 Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 205 of 2023.

(Sunil Kumar Panwar, J)

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