

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78546 of 2023

Arising Out of PS. Case No.-429 Year-2023 Thana- DHAKA District- East Champaran

Vikram Paswan S/O Harendra Paswan R/O Village Harnathpur Parsoni, P.S.
Pakaridayal, Dist. -- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Mruli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-01-2024 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, 414
and 34 of the Indian Penal Code.

3. It is a case of recovery of stolen motorcycles from
the petitioner along with other co-accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on the basis of
suspicion. He has no concern with the alleged motorcycles
rather the recovered motorcycle belongs to one Vijay Prasad
who is also neighbour of the petitioner. Nothing has been
recovered from the conscious possession of the petitioner. There
is no independent witness of the seizure list rather they are



police personnel and Section 100 of the Cr.P.C., has not been followed while preparing the seizure list. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 09.01.2024 in Cr. Misc. No. 84453 of 2023. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 27.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Dhaka P.S. Case No. 429 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikrahana at Dhaka, East Champaran, Motihari.

(Sunil Kumar Panwar, J)

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