

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82851 of 2023

Arising Out of PS. Case No.-511 Year-2023 Thana- DHAKA District- East Champaran

Mithlesh Mistry S/O Jiyalal Mistry R/O Village And P.S- Suppi, Distt.-
Sitamarhi.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-01-2024 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 363(A), 419, 379, 511 and 34 of the Indian Penal Code.

3. As per FIR, four accused persons including this petitioner have been apprehended when they were committing theft from the Danpeti of the mosque. Further, one motorcycle has been recovered from their possession.

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. It is further submitted from para-8 of this petition that the aforesaid motorcycle belongs to one Narayan Ram of Sonbarsa (Sitamarhi) and which purchased



by petitioner but which has not been transferred in the owner book till today. It is also important to state that the registered owner Narayan Ram has not claimed against the aforesaid motorcycle as stolen property. No any cash or any incriminating article has been recovered from the conscious possession of the petitioner. Moreover, he is languishing in judicial custody since 07.09.2023.

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. 511 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., Sikrahna at Dhaka, East Champaran.

(Sunil Kumar Panwar, J)

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