

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84944 of 2023

Arising Out of PS. Case No.-325 Year-2023 Thana- KUMAR KHAND District- Madhepura

Pawan Kumar Son Of Bishnu Sharma Resident Of Village- Godhaila, Ward
No. 08, Ps- Madhepura, (BHARRAHI Op), Dist- Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 85166 of 2023

Arising Out of PS. Case No.-325 Year-2023 Thana- KUMAR KHAND District- Madhepura

Dilip Kumar Son of Ramchandra Yadav R/o vill - Godhaila, ward no. 08, P.S.
- Madhepura (Bharrahi O.P.), Distt. - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 84944 of 2023)

For the Petitioner/s : Mr.Dinesh Verma

For the Opposite Party/s : Mr.Umesh Lal Verma

(In CRIMINAL MISCELLANEOUS No. 85166 of 2023)

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-01-2024 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 379, 411 of the



Indian Penal Code.

Prosecution case in nutshell is that informant parked his motorcycle and went for marketing. When he returned, he did not find his motorcycle. It is further alleged that after inquiry from nearby shopkeepers, it came to his knowledge 2-3 miscreants have taken his motorcycle and they have gone towards western side. When the informant along with other persons followed them, they found that two persons were riding on the same motorcycle. They were caught hold and identified as petitioners.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. It is further submitted that as per prosecution, the petitioners were caught hold on the same day but it appears that F.I.R. has been registered on the next day, which created doubt over the prosecution version. It is submitted vide para 8 of the



petition that informant dashed the petitioner by his motorcycle and after hot conversation held between them. Due to this, petitioners were dragged in this case with concocted allegations. Moreover, the petitioners are languishing in judicial custody since 14.08.2023. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail **after framing of charge, if not framed**, in connection with Kumarkhand P.S. Case No. 325 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Madhepura.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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