

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2490 of 2024

Arising Out of PS. Case No.-203 Year-2023 Thana- DHAMDAHA District- Purnia

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Nitish Kumar @ Nitish Kumar Mahto @ Neeteesh Kumar Mehta S/O Arun
Mehta R/O Village- Yogiraj, P.S- Puraini, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar
For the Opposite Party/s : Mr.Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 379, 401, 413, 414, 34 of the Indian Penal

Code.

There is recovery of stolen motorcycle from the

house of the petitioner.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely



been implicated in this case. The petitioner is not named in the F.I.R nor he was apprehended from the spot. The petitioner has been roped in the present case only on the confessional statement of co-accused which has no evidentiary value in the eye of law. Moreover, nothing has been recovered from the conscious possession of the petitioner and the petitioner has still not been put on T.I.P. The petitioner is languishing in custody since 16.09.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Dhamdaha P.S.



Case No. 203 of 2023.

(Sunil Kumar Panwar, J)

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