

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7267 of 2024

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

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Pankaj Kumar @ Pankaj Kumar Mehta son of Sri Surendra Mehta Village-
Kukraun Dhamdaha Ps- Dhamdaha Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Anand, Advocate.

For the Opposite Party/s : Mr. Nityanand, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Dhamdaha P.S Case No. 203 of 2023 registered for
the offences punishable under Sections 379, 401, 413,
414 read with 34 of the Indian Penal Code.

3. As per allegation in the FIR, the petitioner
and other co-accused persons committed theft of several
motorcycles. When police apprehended the petitioner
and other co-accused, namely, Shahjahan, they
confessed that they had stolen one Galmmour
motorcycle and sold if for Rs. 12,000/- and the same has



been recovered from the possession of the co-accused Amin Paswan.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner rather the stolen motorcycle has been recovered from the possession of the co-accused, Amin Paswan. Similarly situated co-accused has already been granted bail by the Co-ordinate Bench of this Court vide order dated 23.01.2024 passed in Cr. Misc. No. 437 of 2024. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is also submitted that petitioner is in judicial custody since 16.09.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions



made on behalf of the petitioner, let the above named petitioner be released on bail, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Purnea in connection with Dhamdaha P.S Case No. 203 of 2023.

(Ramesh Chand Malviya, J)

Nilmani/-

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