

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89771 of 2024

Arising Out of PS. Case No.-163 Year-2023 Thana- HASANPUR District- Samastipur

Sachin Kumar Mukhiya @ Sachin Kumar Son of Pukri Mukhiya @ Ram
Pukar Mukhiya village- Patsa, Ps- Hasanpur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shishir Kumar Shishir, Adv.

Mr. Binod Kumar Sinha, Adv.

For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Hasanpur P.S. Case No. 163 of 2023, registered for the offence under Section 379 & 411 of the Indian Penal Code.

03. As per prosecution case, the motorcycle of the informant was stolen from his house and the name of the petitioner transpired during investigation for being involved in the theft of the motorcycle of the informant.

04. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has been named in this case on the basis of



confessional statement of co-accused Sunil Kumar Yadav. Apart from the confessional statement against this petitioner, there is no tangible material to connect the petitioner with the offence as alleged. The learned counsel further submits that for an occurrence dated 26.08.2023, the FIR has been lodged on 19.09.2023 for which there is no explanation. The petitioner has got no criminal antecedent.

05. The learned A.P.P. vehemently opposes the submission made on behalf of the petitioner.

06. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the absence of supporting material to corroborate the offence as alleged against the petitioner and further considering the possibility of false implication as well as his clean antecedent, let the petitioner above named in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Rosera, Samastipur, in connection with Hasanpur P.S. Case No. 163 of 2023, subject to the condition laid down under Section 438(2) of the code of



Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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