

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42220 of 2017

Arising Out of PS.Case No. -376 Year- 2016 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Ehsan Mian, Son of Late Bhukhal Mian, resident of village- Naurangabag
Ward No. 33, Police Station- Bettiah Town, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Bettiah Town
P.S. Case No. 376 of 2016 for offences punishable under
Sections 457, 380 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that he owns a jewelry shop and on 14.07.2016 he closed his
shop in the evening but next day morning he got information
from the neighboring shop that his shop has been broken and it
was found that the safe containing Rs. 9000/- and 10-11 pieces
of silver Payal have been stolen.

It has been submitted by the learned counsel for the



petitioner that he is innocent and not named in the F.I.R. On investigation the safe was found buried in the agricultural land of the petitioner with money and 11 pieces of Payal and on that basis that he has been made accused. He submits that nothing has been recovered from his conscious possession and just because he is involved in a similar offence earlier he has been made accused in the present case. He submits that charge-sheet has already been submitted and he is languishing in judicial custody since 13.07.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and is involved in one case of similar nature earlier.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah District-West Champaran, in connection with Bettiah Town P.S. Case No. 376 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating



his relationship with the petitioner and if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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