

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17078 of 2017

Arising Out of PS.Case No. -226 Year- 2016 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Kamlesh Sahani Son of Raushan Sahani, Resident of Village- Baishaha,
Police Station- Chakia, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anwar Karim, Adv

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta, APP

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 05-05-2017 Heard learned counsel for the petitioner as well as
the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences
punishable under Sections 461 and 379 of the Indian Penal Code.

Allegedly from the shop of the informant theft
was committed and the informant and villagers saw that criminals
were taking away Moong Pulse on cycle and motorcycle, and in
the light of the pole, the informant identified the petitioner who
was working as Paldar in the shop of the informant, whereafter the
petitioner was caught by the villagers and the petitioner confessed
his guilt stating the name of others and it was found that 46 bags
of Moong Pulse each containing 30 Kg were taken away.



Submission is of false implication that nothing has been recovered from the possession of the petitioner. He has been made victim of the circumstances and is suffering in custody since 11.09.2016, and has sufficiently been penalized. Other co-accused persons have been allowed bail by the learned court below itself and as such the petitioner deserves sympathetic consideration.

Learned A.P.P for the State fairly submits that considering the detention of the petitioner, lenient view could be taken .

In the facts and circumstances as stated above, the petitioner is directed to be released 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, East Champaran** in connection with **Chakia P.S. Case No. 226 of 2016.**

(Jitendra Mohan Sharma, J)

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