

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8377 of 2019

Arising Out of PS. Case No.-223 Year-2018 Thana- KOPA District- Saran

SHASHI KANT YADAV Son of Gandhi Rai Resident of Village – Kopa, P.S.
Kopa, District-Saran at Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh
For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Section
379 of the Indian Penal Code.

The prosecution case in short is that electric wire of the
informant kept inside and outside the Power House, Chapra was
stolen by the accused persons.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 26-12-2018. Charge
sheet has already been submitted. The petitioner is not named in
the FIR. The petitioner's name surfaced in this case on the basis
of confessional statement of co-accused Ashutosh Kumar. The
petitioner has been falsely implicated in the present case. Except



for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no recovery of any incriminating article from possession of the petitioner. The other co-accused namely Rohit Kumar Singh with similar allegation have been granted bail by a coordinate bench of this court vide order dated 15-02-2019 passed in Cr. Misc. No. 8917 of 2017.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 Additional Chief Judicial Magistrate-V, Saran at Chapra in connection with Kopa P.S. Case No. 223 of 2018.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

