

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22453 of 2019

Arising Out of P.S. Case No.-19 Year-2019 Thana- MADHEPUR District- Madhubani

MD. RAJA aged about 23 years, gender-male, S/o Md. Tetar R/o village-
Maina Rahi, P.S.- Madhepur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-04-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
02.02.2019 in connection with Madhepur P.S.Case No.19 of
2019 for the offence alleged under Section 379 of the Indian
Penal Code.

The prosecution case as lodged by the informant is
that while he was taking his truck to Assam loaded with solar
inverter and solar lights, stopped on the way at his home,
parking the truck near a cementary, in the morning, he found 35
pieces of solar lights stolen. Thereafter one Ajay Chaupal
revealed the name of five of his associates including the
petitioner to have committed the theft. On search from the house



of the petitioner, three solar lights were recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. He submits that although the date of occurrence is 27.01.2019, FIR has been lodged on 02.02.2019 and no plausible examination has been given for such delay. He further submits that the petitioner undertakes to cooperate in the investigation and not to tamper with the prosecution evidence or witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations, the materials on record and that the petitioner does not bear any criminal antecedent as stated in para-3 of the present application, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Madhepur P.S. Case No.19 of 2019 to the satisfaction of Sri A.S.Prasad, Judicial Magistrate, Ist Class, Madhubani, 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.

(Nilu Agrawal, J)

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