

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68775 of 2019

Arising Out of PS. Case No.-262 Year-2019 Thana- CHANPATIA District- West Champaran

Vishal Kumar, S/o Late Krishna Prasad Gupta R/o- Behind Kanua School
Ward No. 6 Chanpatiya, P.S.- Chanpatiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular bail in connection with Chanpatiya P.S. Case No.262 of 2019 registered for the offence punishable under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that nothing has been stolen away by the petitioner.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein the allegation is that the petitioner was one amongst accused persons involved in cutting the lock of the shop, but it is the submission of learned counsel for the petitioner that lock was



not opened and nothing has been stolen away, the case under Section 379 I.P.C. as has been framed is not made out and the petitioner is in custody since 11.08.2019 having no criminal antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bettiah, West Champaran in connection with Chanpatiya P.S. Case No.262 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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