

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2793 of 2020

Arising Out of PS. Case No.-415 Year-2019 Thana- CHAPRA MUFFASIL District- Saran

Kothapu Rama Linga Reddy, Male, Age about 49 years, Son of Kothay Gangi Raddy Resident of K. Flat No.304, China Chowk, Police Station- China Chowk, District - Cuddapati, Pin -560002, State- Andhra Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 20-03-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Chapra Mofussil P.S. Case No. 415 of 2019 registered for the offence punishable under Section 379 of the Indian Penal Code , 1860.

The prosecution story as per the First Information Report is that the informant is the (DGM - Technical) of NCC Ltd., which is a construction company and was awarded the contract for construction of Double Deck Fly Over from Gandhi Chowk to Nagarpalika Chowk in Chhapra Town. It has further been alleged that the Store of the company was situated at Rathour Newaji Tola from where 10000 cement bags were stolen by unknown persons.

Learned counsel for the petitioner submits that the F.I.R. is against unknown and petitioner is not named in the F.I.R. Learned counsel further submits that the name of



petitioner has transpired on the basis of confessional statement of the co-accused Shailesh Kumar Yadav, who is Assistant In-charge (Store). Learned counsel referring to Annexure- 2, which is the statement made under Section 164 of the Cr.P.C. of one Mukesh Singh, who was the worker and the contractor submits that in his statement he has not stated anything incriminating against this petitioner and has only taken the name of Shailesh Rai. Learned counsel referring to the order dated 14.01.2020 passed in Cr. Misc. No. 82801 of 2019 and the order dated 24.01.2020 passed in Cr. Misc. No. 87309 of 2019 submits that the co-accused persons Mukesh Kumar and Shailesh Kumar Yadav have already been granted bail by this Court.

Having heard learned counsel for the parties and taking into consideration the fact that petitioner's name has transpired on the basis of confessional statement made by the co-accused Shailesh Kumar Yadav, who has been granted bail by this Court in Cr. Misc. No. 87309 of 2019 along with Mukesh Kumar in Cr. Misc. No. 82801 of 2019 , I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/-



(twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra in connection with Chapra Mofussil P.S. Case No. 415 of 2019.

(Anil Kumar Sinha, J)

praful/-

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

