

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27103 of 2020

Arising Out of PS. Case No.-176 Year-2001 Thana- BALIYA District- Begusarai

PAPPU SAH Son of Sri Hrishikesh Sah @ Jalo Sah Resident of Village -
Parihara, P.S.- Bakhari, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Uma Shankar
For the State	:	Mrs. Pronati Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 19-10-2020 Due to COVID-19 Pandemic, the matter is being taken up by
way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks
after restoration of normalcy.

Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under Sections
392, 364 & 120(B) of the Indian Penal Code.

Allegedly, the truck, in question was loaded with MT steel rod
to reach the destination to Jain Traders, Supaul. It is alleged that the
truck did not reach its destination. While it was inquired, the truck
was found standing on NH-31 near railway godown under Ballia P.S.
The truck was empty. It was suspected that accused persons



misappropriated the iron rod.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 21-03-2020. Charge sheet/Prosecution report in this case has already been submitted. The petitioner is not named in the FIR. His name transpired in this case on the basis of confessional statement of co-accused. One tyre of the truck is said to have been recovered but the same has not been put on test identification parade to ascertain as to whether the tyre in question is of the same truck or not. The petitioner also has not been put on test identification parade to ascertain his participation in the alleged occurrence.

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 of the case, let the petitioner, above named, 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, Bettiah, West Champaran in connection with Balia P.S. Case No. 176 of 2001.

(Sudhir Singh, J)

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