

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13728 of 2021

Arising Out of PS. Case No.-216 Year-2019 Thana- RAMNAGAR District- West Champaran

Anil Sah, aged about 30 years, (Male) son of Chota Sah @ Chathu Sah,
Resident of village- Senwariya, Bharawa Tola, Police Station- Sirisiya O.P.,
District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Advocate
For the State : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 01-09-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

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

The petitioner seeks bail in Ramnagar PS Case No. 216 of 2019, instituted for the offence under Section 379 of the Indian Penal Code.

Since 22.09.2020 the petitioner is stated to be in custody. The First Information Report is against unknown persons regarding the theft of a motorcycle.

The learned counsel for the petitioner submits that the police blindly have implicated the petitioner in the 14 cases



which have been mentioned in paragraph No.3 of the bail petition, all of which have been lodged against unknown persons. Petitioner's remand in the instant case has not led to any recovery and apart from the Call Detail Record (CDR), which shows the petitioner to be in the vicinity. No valid material has come in the investigation to suggest his complicity in the crime. He has been granted bail in four of the cases pending against him since before.

Case diary had earlier been requisitioned, which has been received.

The learned APP representing the State has opposed the prayer for bail. Referring to case diary, it would appear that the CDR of the petitioner has shown him to be present in the locality from where, the theft has been done. He has antecedents also.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. 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 the learned Additional Chief Judicial Magistrate, 1st Bagaha, West Champaran, in connection with Ramnagar P.S. Case No. 216 of 2019, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each



date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shyambihari/-

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

