

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17314 of 2021

Arising Out of PS. Case No.-147 Year-2019 Thana- RAMNAGAR District- West Champaran

ANIL SAH S/o Chota Sah @ Chathu Sah R/o village- Senwariya, Bharawa
Tola, P.S.- Sirisiya O.P., District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr. UN Pandit, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Ram Nagar P.S. Case No. 147 of 2019, registered for the offence under Section 379 of the Indian Penal Code.

As per the prosecution case, some unknown miscreants committed the theft of motorcycle of the informant.

Petitioner is not named in the FIR. No incriminating article has been recovered from possession of the petitioner. Name of the petitioner has come only on the basis of self confessional statement of petitioner before the police. Petitioner has been remanded in this case on 22.09.2020 and the only allegation against him is that the tower location of his mobile phone was located near the place of occurrence at the relevant



time. Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court vide order passed in Cr.Misc.No. 17382/2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts & circumstances and the fact that no incriminating article has been recovered from the possession of the petitioner, the bail petition of petitioner is allowed.

Let the above named petitioner 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 Additional Chief Judicial Magistrate – 1, Bagaha, West Champaran in connection with Ram Nagar P.S. Case No. 147 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.”

(Prabhat Kumar Singh, J)

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