

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21258 of 2021**

Arising Out of PS. Case No.-769 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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1. Raja Kumar @ Bipin Kumar Son of Nandkishore Prasad @ Lal Kishor Prasad Resident of Mohalla - Kishun Bagh, Joda Inar Mandir, Ward no.3, P.S.- Kalibagh O.P., Distt.- West Champaran.
 2. Murad Mian Son of Sattar Mian Resident of Village - Purani Gudari, Ward no.10, P.S.- Kalibagh O.P., Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-11-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with Bettiah Town P.S. Case No. 769 of 2020 instituted for the offences under Sections 379, 411, 414 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the informant had alleged that he had been collecting materials for the marriage of his daughter in a room of Savitri Dharamshala and on 03.12.2020 at about 6 AM when he went to inquire about his goods, he did not find any article in



the said room of the Dharamshala, the window of the room was found broken. Thereafter, the informant started searching his goods and in course thereof it came to light that entire materials were carried by the co-accused on the cart of Kundan Kumar and the same has been kept in the shop and accordingly he informed the police and thereafter the police recovered all the materials from the fruit shop of Kundan Kumar and who on interrogation disclosed the name of these petitioners.

Learned counsel for the petitioners submits that the name of these petitioners have come on the confessional statement of Kundan Kumar who has been granted regular bail by this Court vide order dated 30.07.2021 in Cr. Misc. No. 19917 of 2021. Further, the petitioners are in custody since 04.12.2020 and charge-sheet has been submitted in the case and the petitioners are persons with clean antecedent.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioners.

Considering the fact that the petitioners are in custody since 04.12.2020, the person on whose disclosure the name of the petitioners transpired has been granted bail, charge-sheet has been submitted in the case and the petitioners are persons with clean antecedent, let the petitioners above named be released on



bail on furnishing of bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 769 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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