

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29382 of 2020

Arising Out of PS. Case No.-209 Year-2019 Thana- MUFFASIL District- West Champaran

Saddam Hussain Aged About 30 Years, S/O Santu Miyan Resident Of
Village- Mahuahwa, P.S.- Chanpatiya, District- West Champarn

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-01-2021 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor representing the State.

The petitioner apprehends arrest in a case registered
for the offence punishable under section 379 of the Indian Penal
Code.

Prosecution case is that on 13.4.2019 in the night
some unknown miscreants committed theft of the informant's 12
wheeler red colour truck which was parked near Bazar Samiti.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR and his name has come
during course of investigation in the confessional statement of
co-accused. No incriminating material has been recovered from
the conscious possession of the petitioner. Truck in question has
already been recovered in its original condition on 21.4.2019 at



Akhtiyarpur Chawk for which separate Police Station case bearing Gorhka Police Station Case No. 233 of 2019 has already been registered.

In the facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah West Champaran, in Bettiah Mufassil Police Station Case No. 209 of 2019, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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