

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40348 of 2020

Arising Out of PS. Case No.-152 Year-2020 Thana- BARHARA KOTHI District- Purnia

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SANJAY KUMAR CHAUDHARY @ PANCHHA S/o Late Nandan Chaudhary
Resident of Village- Janki Nagar, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Suresh Pd Singh No.1, Advocate Kumari Rashmi, Advocate
For the Opposite Party/s	:	Mrs. Nirmala Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-03-2021 Heard Mr. Suresh Pd. Singh No.1, learned counsel

for the petitioner and Mrs. Nirmala Kumari, learned Additional

Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Barhara P.S. Case No. 152 of 2020 registered for the offence
punishable under Section 395 of the Indian Penal Code 1860.

The allegation as per the First Information Report is
that tractor of the informant was intercepted by unknown
accused persons and they forcibly took away the tractor loaded
with maize.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on the basis of
confessional statement of co-accused Brajesh Kumar who was



arrested during course of investigation. Learned counsel further submits that only allegation which has come against the petitioner is that he has purchased the maize sold by the co-accused Brajesh Kumar as a dealer. Learned counsel also submits that the petitioner is a *bona fide* dealer and he has purchased the maize sold by co-accused Brajesh Kumar and transaction has been recorded by the petitioner in his register also. Learned counsel next submits that the petitioner has got no criminal antecedent and the co-accused Brajesh Kumar has been granted bail by a co-ordinate Bench of this Court vide order dated 12.02.2021 passed in Cr. Misc. 38295 of 2020. The petitioner is in custody since 7.7.2020 having no criminal antecedent and the charge sheet has already been submitted against the petitioner.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 7.7.2020 and charge sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of Smt. Angira Kumari, learned Judicial Magistrate,
1st Class, Purnea, in connection with Barhara P.S. Case No. 152
of 2020.

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

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