

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1429 of 2021

Arising Out of PS. Case No.-424 Year-2020 Thana- CHANPATIA District- West Champaran

1. CHUNNU KUMAR @ CHUNNU SON OF PARASHU RAM RAUT @ PARSHURAM PATEL RESIDENT OF VILLAGE - BANUCHHAPAR, WARD No. 15, P.S.- BETTIAH, MUFFASIL, DISTRICT- WEST CHAMPARAN.
2. AKASH KUMAR SON OF KHEDU PATEL @ KHEDU PRASAD PATEL RESIDENT OF VILLAGE - BANUCHHAPAR, WARD No. 15, P.S.- BETTIAH, MUFFASIL, DISTRICT- WEST CHAMPARAN.

... .. Petitioners.

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mrs. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-03-2021 Heard learned counsel for the petitioners and learned

APP for the State through virtual Court proceedings.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners seek bail in a case registered for the offence punishable under Section 379 of the Indian Penal Code.

The prosecution case, in nut shell, is that the motorcycle of the informant was stolen by some unknown thieves.

It is submitted by learned counsel for the



petitioners that no such occurrence as alleged ever took place. They are quite innocent and have been falsely implicated in this case. They are neither named in the F.I.R. nor were apprehended on the spot. No incriminating article has been recovered from their conscious physical possession. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is nothing in the record indicating the complicity of the petitioners in the occurrence barring the confessional statement of co-accused Rohit Kumar which has no evidentiary value in the eye of law. The petitioners have no criminal antecedent and have been languishing in custody since 11.09.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., West Champaran at Bettiah in connection with Chanpatiya P.S. Case No.424 of 2020.

(Anjani Kumar Sharan, J)

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