

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4667 of 2021**

Arising Out of PS. Case No.-247 Year-2020 Thana- NAUTAN District- West Champaran

SUSHIL KUMAR Son of Ganesh Sah Resident of Village - Ramgarhwa, P.S.  
- Ramgarhwa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar No 7, Advocate.

For the Opposite Party/s : Mr. A.G

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      26-03-2021      Heard learned counsel for the petitioner and learned  
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner 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 petitioner seeks bail in connection with Nautan P.S. Case No. 247 of 2020 registered for the offence punishable under Sections 401, 413, 414 of the Indian Penal Code.

As per the prosecution case, the informant who is an ASI of the Nautan Police Station while patrolling, on a secret information that 3 to 4 miscreants are planning to commit offence, reached Mangalpur Kala School, all four miscreants on



seeing the police attempted to flee but they were caught by the police who disclosed their name as Sushil Kumar, Sanjeev Chaudhary, Santosh Kumar, Dheeraj Kumar Singh. On seeing police action nearby people assembled out of whom 2 became witness in presence of whom while searching a piloch was recovered from the right pocket of the petitioner. One Steel knife and a screwdriver was recovered from the possession of the co-accused namely, Sanjeev Chaudhary and Santosh Kumar. One without registration Number Hero Splendor motorcycle without any document was recovered from the possession of the apprehended persons.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case and also submits that if the entire prosecution case is taken to be true in that case also a piloch is said to have been recovered from the petitioner by which neither any offence can be committed nor it can be used as a weapon. He is quite innocent and has been falsely implicated in this case. He submits that the prosecution case as alleged in the F.I.R. is totally false, concocted and far away from the truth. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather



general and omnibus in nature. The petitioner has one criminal antecedent as mentioned in Para 3 of the bail application and has been languishing in custody since 19.07.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Nautan P.S. Case No. 247 of 2020.

**(Anjani Kumar Sharan, J)**

GAURAV S./-

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