

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5362 of 2021

Arising Out of PS. Case No.-433 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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Shyama Kant Ojha @ Shyama Kant Ojha @ Pappu Ojha Son of Late Bhim
Ojha @ Meel Ojha Resident of Village- Chhauraha, P.S.- BettiahMuffasil,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-06-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Bettiah Town P.S. Case
no. 433 of 2020 registered under sections 392 and 412 of the
Indian Penal Code.

As per allegation in the FIR, the truck of the
informant loaded with cement etc. was stolen by the accused
persons after over powering the driver and the *khalasi*. It is
stated that on receiving information, when the informant
proceeded towards the place of occurrence, he found that the
truck had met with an accident and one of the accused, the
petitioner herein, was struck in the truck.



It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and incorrect. The petitioner has been falsely implicated in the case due to some confusion. Referring to the medical reports including one issued by Ranchi Institute of Neuropsychiatric and Allied Sciences, it is submitted that the petitioner is not fully normal. He has remained in custody since 20.7.2020 and has no criminal antecedent.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with investigation in the case having concluded, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Bettiah town P.S. Case no. 433 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah.

(Partha Sarthy, J)

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