

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6052 of 2021

Arising Out of PS. Case No.-63 Year-2020 Thana- MUFFASIL District- West Champaran

SONU SHUTER SON OF SRI RAJESH RAM RESIDENT OF MOHALLA
-CHHAWANI, WARD NO.3, PS-BETTIAH MOFFASIL (MANUAPUL),
DISTRICT-WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party/s : Mr. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-04-2021 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 Bettiah Muffasil (Manuapul) P.S. Case No. 63 of 2020 dated 02.02.2020, registered for the offence punishable under Section 392 of the Indian Penal Code.

As per the prosecution case, four unknown miscreants looted away Hero Honda Plus motorcycle bearing Registration



No. BR22AG9313 of informant Vinod Paswan on 31.01.2020 at about 10 in the night when he was coming from Bettiah to his village Balthar on the gun point.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He is quite innocent and has been falsely implicated in this case due to police mechanism and maneuvering. He is neither named in the F.I.R. nor was apprehended on the spot. He submits that no T.I. parade has been done till now and the charge sheet has been filed against the petitioner. He submits that one similarly situated co-accused namely Kundan Patel has been granted bail *vide* order dated 19.10.2020 in Cr. Misc. No. 27087 of 2020 from the different Co-ordinate Bench of this Court. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner is languishing in custody since 30.09.2020.

There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of the above co-accused person which has not evidentiary value in the eye of law.

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 court below where the case is pending in connection with Bettiah Muffasil (Manuapul) P.S. Case No. 63 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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