

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10141 of 2021**

Arising Out of PS. Case No.-494 Year-2020 Thana- BAGHA District- West Champaran

Suraj Sharma @ Anand Sharma Son of Jagdish Sharma Resident of Hanuman  
Gadhi, Gudari Bazar, Ward No.- 23, Police Station - Bagaha, District - West  
Champaran. ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate  
For the State : Ms. Sucheta Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      16-06-2021                      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 Bagha P.S. Case no. 494  
of 2020 registered under section 379 of the Indian Penal Code to  
which other sections were added subsequently.

As per allegation in the FIR, it is stated by the  
informant that his TVS Apache motor-cycle which he had  
parked outside the office of Jio company was stolen. On enquiry  
it transpired that the petitioner and one Ankesh Sah had stolen  
the same.

It is submitted by learned counsel for the petitioner  
that the petitioner is innocent and has been falsely implicated in  
the case. There is no eye-witness to the alleged occurrence.  
From the seizure list it is submitted that the place of recovery is  
stated to be below a bridge on NH- 727. The petitioner has been  
falsely implicated in the case because of his antecedent. No  
incriminating article has been recovered from his possession. He  
is in custody since 3.9.2020. It is lastly submitted that co-



accused Ankesh Sah has been enlarged on bail by the learned Court below.

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 the petitioner having remained in custody for over nine months and grant of bail to co-accused Ankesh Sah, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Bagaha P.S. Case no. 494 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 Additional Chief Judicial Magistrate 1<sup>st</sup>, Bagaha, West-Champanan.

**(Partha Sarthy, J)**

Prakash/-

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