

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12080 of 2022

Arising Out of PS. Case No.-251 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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ANAND KUMAR @ ANAND YADAV Son of Dipu Yadav Resident of
Village- Naya Tola Jurabganj, P.S.- Kodha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 21030 of 2022

Arising Out of PS. Case No.-251 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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HARENDRA RAM S/o Ramji Ram Resident of Village - Garabhua, Lala
Tola, P.S. - Sirisiya O.P., District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 12080 of 2022)

For the Petitioner/s : Mr.Anup Kumar Pandey

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

(In CRIMINAL MISCELLANEOUS No. 21030 of 2022)

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Anant Kumar 1

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 26-11-2022 (In CRIMINAL MISCELLANEOUS No. 12080 of 2022)

Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Bettiah



Town P.S. Case No. 251 of 2021 registered for the offence under Section 379 of Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and is in custody since 09.09.2021.

The allegation against the petitioner is to commit theft and while committing so taken away motorcycle belongs to informant.

Learned counsel appearing on behalf of the petitioner submitted that petitioner was remanded in present matter from Sare P.S. Case No. 80/2021, where no incriminating material/motorcycle was recovered from his possession. It is further submitted that prior to this occurrence petitioner was involved in one more criminal case, whereas subsequent of this occurrence petitioner was named in eight more criminal cases without having any basis, as of the present case. While concluding the argument, it has been submitted that investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as and by taking note of allegation, where petitioner is in



custody since 09.09.2021 coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bettiah Town P.S. Case No. 251 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran Bettiah/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(In CRIMINAL MISCELLANEOUS No. 21030 of 2022)

Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Bettiah (T) P.S. Case No. 251 of 2021 registered for the offence under Sections 379 of I.P.C.

The accused/petitioner is not named in the F.I.R. and is in custody since 28.05.2021.

The allegation against the petitioner is to commit theft along with other co-accused persons and while committing so taken away motorcycle belongs to informant.



Learned counsel appearing on behalf of the petitioner submitted that petitioner was falsely implicated in this case. It is further submitted that petitioner was remanded in present case from Bettiah (T) P.S. Case No. 307/2021 and no alleged motorcycle, which was stolen through F.I.R. was ever recovered from his possession. It is further submitted that petitioner was involved in one more criminal case, where he is on bail. It is also submitted that petitioner almost completed half of the prescribed sentence what he may get convictions. While concluding the argument, it has been submitted that investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as and by taking note of allegation, where petitioner is in custody since 28.05.2021 coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bettiah (T) P.S. Case No. 251 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West



Champaran/concerned Court, subject to the conditions as
mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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