

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17847 of 2022

Arising Out of PS. Case No.-415 Year-2021 Thana- TRIVENIGANJ District- Supaul

BITTU KUMAR S/o Hari Paswan Resident of Village- Jirawa Madhali, P.S.-
Shankarpur, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar, Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 31-08-2022 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
Triveniganj P. S. Case No. 415 of 2021 registered for the
offence under Sections 414, 420, 468 and 34 of the Indian Penal
Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 19.12.2021.

The allegation against the petitioner is to assist in
concealment of stolen motorcycle along with other co-accused
persons after changing engine number and registration number.

Learned counsel appearing on behalf of the petitioner



submitted that entire prosecution is initiated on the basis of self confession of this petitioner, where alleged recovery was made by private person, who is the informant in this case. It is also submitted that informant with collusion of local police, implicated petitioner in present false case. It is also submitted that if version of FIR be accepted on its face, it appears that recovery of motorcycle were not made from possession of the petitioner. It is also submitted that petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that alleged motorcycle were recovered from private person, who is none, but the informant.

Considering the facts and circumstances as mentioned above, as recovery of motorcycle was not made from possession of the petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Triveniganj P. S. Case No. 415 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 Additional Chief Judicial Magistrate-1,
Supaul/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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