

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31503 of 2021

Arising Out of PS. Case No.-50 Year-2020 Thana- CHIRAIYA District- East Champaran

MIT RANJAN KUMAR Son of Late Daroga Sah Resident of Village -
Shikarganj, P.S.- Shikarganj, District - East Champaran

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate.
For the State : Mr. Khurshid Anwar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 04-01-2022 The applicant/accused in Crime No.50 of 2020 registered with Police Station-Chiraiya (Shikarganj) for the offence punishable under Section 379 of the Indian Penal Code, by this application is seeking his release on bail during the pendency of the trial.

Heard learned counsel appearing for the applicant/accused. He argued that only because the applicant was having criminal antecedents, on the basis of inadmissible confessional statement of Satrudhan Kumar, the applicant came to be apprehended in the crime in question.

The learned A.P.P. opposed the application by contending that the applicant is having criminal history.

I have considered the submissions so advanced and also perused the materials placed before me.



The applicant is behind the bars from 14.10.2020. The F.I.R. is in respect of theft of the motorcycle by some unknown thieves. There is no recovery from the applicant. The applicant came to be arrested on the basis of the confessional statement of co-accused Satrudhan Kumar. Hence after filing of the charge-sheet, there is no propriety in further pretrial detention of the applicant. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.50 of 2020 registered with Police Station-Chiraiya (Shikarganj) for the offence punishable under Section 379 of the Indian Penal Code, be released on bail on executing P.R. bond of Rs.10000/-(Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II). The applicant should cooperate the trial in expeditious disposal of the trial against him.



(III). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

P.S./-

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