

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27028 of 2022

Arising Out of PS. Case No.-35 Year-2022 Thana- PASRAHA District- Khagaria

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DURGESH PANDIT Son of Pradeep Pandit Resident of Village - Baisa, P.s.-
Parbatta (Maraiya), Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 29-09-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered u/s 379 of the Indian Penal
Code.

As per the prosecution case, some unknown thieves
had stolen Sonalika Tractor and its trolley bearing No. BR-
34GA4414 which was parked in front of the house of the
informant.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this



case due to village politics. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has sprung up in the statement of a local witness namely Gautam Kumar. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.03.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that at the instance of the petitioner the said tractor was recovered.

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Khagaria in connection with Pasraha P.S. Case No. 35 of 2022, with a condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail.

The application stands allowed.

(Chandra Prakash Singh, J)

shobhakri/-

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