

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28914 of 2022

Arising Out of PS. Case No.-188 Year-2021 Thana- RAMNAGAR District- West Champaran

Udeshi Sah @ Shatrudhan Sah, Son Of Bhulai Sah, R/O Village- Bilashpur,
P.S.- Ramnagar, District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary, Advocate

For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 14-10-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

In the present case, the petitioner seeks bail in
connection with Ramnagar P.S. Case No. 188 of 2021 registered
for the alleged offences under Section 379 of the Indian Penal
Code.

As per prosecution case, the motorcycle of the
informant was stolen from the campus of the hospital. During
investigation, the name of the petitioner surfaced as the thief.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in this case merely on
suspicion by the police on saying of their informer. Nothing



incriminating has been recovered from the person/ possession of this petitioner. The recovery of the stolen motorcycle has been shown from the PCC Road behind the house of the petitioner. Even during the course of investigation, not a single witness has come forward to support the prosecution case against the petitioner. The petitioner is in custody since 13.01.2022. The charge sheet has been submitted. The petitioner has got no criminal history.

Learned A.P.P. opposes the prayer for bail.

Having regard to the submissions made on behalf of the parties and considering the fact that no recovery has been shown from the conscious possession of the petitioner and further considering his clean antecedent and submission of charge sheet along with the period of his custody, the petitioner is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Bagaha, West Champaran in connection with Ramnagar P.S. Case No. 188 of 2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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