

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30315 of 2022

Arising Out of PS. Case No.-282 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

Arjun Singh (Male), aged about- 23 years, S/o Bharat Singh, R/o Village-
Khalpura, P.S.-Mufashil, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Dr. Gajendra Prasad Singh, Advocate Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-08-2022 Heard Mr. Gajendra Prasad Singh, learned counsel
appearing on behalf of the petitioner and Mr. Zainul Abedin,
learned A.P.P. for the State.

Petitioner, who is in custody since 19.04.2022, seeks
regular bail in connection with Mufashil P.S. Case No. 282 of
2022 dated 18.04.2022 registered for offences punishable under
Sections 406, 409 and 379 of the Indian Penal Code.

Prosecution story in brief is that the vehicle of the
petitioner was hired for attending marriage ceremony of the son
of the informant. Specific allegation against the petitioner is that
he had fled away with some valuables kept on the said vehicle
but he was apprehended alongside the road near village
Bishentola.

Dr. Gajendra Prasad Singh, learned counsel appearing



on behalf of the petitioner submits that no such incidence took place rather the petitioner has been made accused in the present case because the informant had not made payment of agreed amount of fare to the petitioner and due to which hot exchange of word took place between the parties. Accordingly, a forged and fabricated seizure list was prepared from which it appears that the articles which were seized are some cosmetics kept in a bag. He further submits that seizure list cannot be relied upon as the same was not prepared in presence of the petitioner. Petitioner has clean antecedent and he is in custody since 19.04.2022.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

Having heard the rival submissions of the parties and from the perusal of the F.I.R. itself it appears that petitioner was apprehended from the same village while he was standing along with the vehicle alongside the road. Seizure list lacks evidentiary value as the same must be prepared in presence of the petitioner. No valuables were recovered from the vehicle bearing Registration No. BR-04-PA-3247 registered in the name of the petitioner. Prima facie it appears that petitioner has made out a case to be released on bail.



The Court below is directed to release the petitioner, above named, on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IXth, Chapra in connection with Mufashil P.S. Case No. 282 of 2022 dated 18.04.2022 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

