

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29703 of 2022

Arising Out of PS. Case No.-59 Year-2022 Thana- LAURIA District- West Champaran

Yogi Mahto, Son Of Late Kamal Mahto @ Kamal Dhangad, R/O Village-
Matiyaria, Dhangad Toli, P.S.- Lauriya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Lauriya P.S. Case No. 59 of 2022 registered for
the alleged offences under Section 379 of the Indian Penal
Code.

As per prosecution case, the motorcycle of the
informant was stolen and later on it was recovered during a
vehicle checking and the petitioner was found riding the same.

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



case. The petitioner was not named in the FIR and no stolen article has been recovered from his conscious possession. On the date when the recovery has been shown the petitioner was returning home from Lauriya Market on foot and he was apprehended merely on suspicion as the real culprit fled away from the spot leaving behind the motorcycle. The confessional statement of this petitioner was recorded and except for the confessional statement, there is no material to connect the petitioner with the alleged occurrence. Charge sheet has been submitted in this case and the petitioner is in custody since 15.03.2022 and is having clean antecedent.

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

Having regard to the submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner along with his clean antecedent, he 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-1, Bettiah, West Champaran, in connection with Lauriya P.S. Case No. 59 of 2022, 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)

V.K.Pandey/-

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