

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31617 of 2022**

Arising Out of PS. Case No.-716 Year-2021 Thana- DEHRI TOWN District- Rohtas

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GOPAL CHANDRABANSHI @ GOPAL PRASAD CHANDRABANSHI
SON OF LATE LAXMAN RAM R/O MOHALLA- MUBARAK GANJ,
SASARAM, P.S.- SASARAM (T), DISTRICT- ROHTAS AT SASARAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Dehri
Town P.S. Case No. 716 of 2021 registered for the offence under
Sections 379/413/414/34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 11.12.2021.

The allegation against the petitioner is to habitually
dealing in stolen motorcycle and also assisting in concealment
of said motorcycle.

Learned counsel appearing on behalf of the petitioner



submitted that for only reason as petitioner is the father of main accused, he has falsely been implicated in the present case. It appears from perusal of seizure list that recovery was made from the newly constructed house, which was in occupancy of son of the petitioner, namely, Upendra Chandrabanshi, living separately. It is further submitted that petitioner is a man of clean antecedent. It is also submitted that seizure list is not supported by independent witnesses and the same appears to be in violation of Section 100 (4) of the Cr.P.C. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that seizure list is not supported by the independent witnesses.

Considering the facts and circumstances as mentioned above, as the seizure list is disputed coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Dehri Town P.S. Case No. 716 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties



of the like amount each to the satisfaction of learned IV-
Additional District & Sessions Judge, Rohtas at
Sasaram/concerned court, subject to the condition as mentioned
under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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