

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.35131 of 2022**

Arising Out of PS. Case No.-158 Year-2022 Thana- BETTIAH CITY District- West  
Champaran

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AAKASH BHARDWAJ SON OF SANJAY MOHAN JHA RESIDENT OF  
BANUCHHAPAR, JHA TOLA, WARD No.8, P.S.- BETTIAH MUFFASIL,  
DISTRICT- WEST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Syed Mojibur Rahman

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      16-09-2022                      The learned counsel for the petitioner is directed to  
  
remove all the defects pointed out by the Stamp Reporter within  
  
one month.

Petitioner seeks regular bail in Bettiah Town P.S Case  
No. 158 of 2022 registered for the offence punishable under  
Section 414/34 of the Indian Penal Code.

As per the prosecution the police got the information  
that the accused persons of this case had assembled at the  
alleged place with a stolen motorcycle and thereafter the police  
raided the said place and found two persons smoking cigarette  
in suspicious condition and then both the accused persons  
attempted to flee but they were caught by the police and the  
motorcycle, mobile phones were recovered from their



possession and petitioner was one of them who was arrested at the spot.

The main submissions advanced by learned counsel Shri Bimlesh Kumar Pandey for the petitioner are that the petitioner has clean antecedent and he is a student and presently pursuing B.Tech. course and in actual the alleged motorcycle which was suspected to be stolen, had been purchased by co-accused Aman Pandey by giving an amount of rupees 11,000-/ to the concerned seller and the alleged mobile phone which is stated to have been recovered from the possession of this petitioner belongs to the petitioner and the same was validly purchased by this petitioner. Further submission is that the alleged place of apprehending and recovering of the alleged articles is stated to be premises of M.J.K College where the petitioner is presently studying and at the time of alleged incident the petitioner had gone to his college to meet his one of the friends and he was arrested by the police merely on the basis of suspicion. Further submission is that the petitioner has been languishing in jail since 06.03.2022.

Sri Syed Mojibur Rahman, learned APP appearing for the State has opposed the prayer for bail.

Heard both sides and perused the FIR.

In view of above submissions and considering the



petitioner's clean antecedent and his educational career, in the opinion of this Court, a lenient approach can be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Bettiah, West Champaran in Bettiah Town P.S Case No. 158 of 2022.

(Shailendra Singh, J)

s.hassan/-

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