

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39287 of 2022

Arising Out of PS. Case No.-171 Year-2022 Thana- MAJHAULIA District- West Champaran

BITTU KUMAR @ RANJEET KUMAR S/o Ramji Sah R/o village-
Tirhutiya Dubey Tikachhapar, P.S.- Chanpatia (Kumarbagh O.P.), District-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State,
through Virtual Court Proceedings.

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

The petitioner seeks bail in connection with Majhauria
P.S. Case No. 171 of 2022 registered for the offence under
Sections 356 and 379 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 14.03.2022.

The allegation against the petitioner is to commit theft
and while committing so, taken away cash of Rs. 1,50,000/-. It
is further alleged that the rider of motorcycle having
Registration No. BR22 AS 4756 and occupant of Scorpio



bearing Registration No. BR22P-5325, were involved in the present occurrence.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is not named in FIR, where, his name surfaced during course of investigation, as alleged involved motorcycle was registered in the name of his brother, namely, Anjesh Kumar. It is further submitted that recovered cash of Rs. 58,000/- belongs to father of this petitioner, as he received from selling of paddy. It is further pointed out that cash, alleged to be looted is without details and denominations and mere on the recovery of cash, which is otherwise, explained, petitioner cannot be connected with the present set of occurrence. 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, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovered motorcycle stands in the name of brother of this petitioner, where, recovered cash is without details and denominations 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 Majhulia P.S.
Case No. 171 of 2022 on furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of learned C.J.M., Bettiah, West
Champaran/concerned court, subject to the following
conditions:

“(i)That petitioner shall not
involve in the similar nature of offence till
the conclusion of trial, failing which, the
State shall be at liberty to move before the
Trial Court itself for the cancellation of bail
bond of the petitioner.

(ii) Accused/Petitioner shall
cooperate in the trial and shall be physically
present on each and every date before the
Trial Court till conclusion of the trial and
exemption from physical appearance be
allowed by the Trial Court, only on medical
ground of the petitioner duly supported by
the documents.

(iii) That one of the bailors of the
petitioner shall be deponent of the present
bail petition.”

(Chandra Shekhar Jha, J)

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