

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39650 of 2022

Arising Out of PS. Case No.-458 Year-2021 Thana- JOGAPATTI District- West Champaran

MANOJ KUMAR DUBEY @ MANOJ KUMAR S/o Bharat Dubey R/o
village- Nepura Ward No. 4, P.S.- Darauli, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 10-10-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in Yogapatti (Shanichary) P.S.

Case No. 458 of 2021 registered for the offence punishable

under section 379 of the Indian Penal Code.

As per the allegation the informant's Bolero

vehicle was stolen away by unknown accused persons.

The main submissions advanced by learned

counsel Shri Ajay Kumar Pandey appearing for the petitioner

are that the FIR was lodged against unknown persons, after

petitioner's arrest from his possession the stolen vehicle was not

recovered and he has been remanded in the present case mainly

on the basis of suspicion from Bettiah Mufassil P.S. Case No. 622 of 2021 and he has been languishing in jail for the last nine months and he has been chargesheeted and his case is triable by Magistrate. Further submission is that against the petitioner there is criminal antecedent of seven cases out of which he is on bail in two cases and most of the cases of his antecedents were lodged against unknown persons and petitioner was not named in the said cases.

Shri Mukesh Kumar Singh, learned APP appearing for the State has opposed the prayer for bail.

Having considered the petitioner's custody period and mainly taking into account the petitioner's the pleas that after his arrest the stolen vehicle was not recovered from his possession and he was remanded in the present case from another case, the said pleas have not been refuted by learned APP and also considering the fact that the petitioner's case is triable by a Magistrate, in the opinion of this Court the petitioner deserves to a lenient approach of this Court.

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 C.J.M , West Champaran, Bettiah in Yogapatti (Shanichary)

P.S. Case No. 458 of 2021.

(Shailendra Singh, J)

Hassan/maynaz/-

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