

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40797 of 2022

Arising Out of PS. Case No.-557 Year-2019 Thana- DIGHA District- Patna

BADY RAI @ GOVINDA KUMAR SON OF LAL BABU RAI RESIDENT
OF POLSON ROAD, P.S.- DIGHA, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Pratap Singh, Adv.

For the Opposite Party/s : Mr.Pronoti Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

Petitioner apprehends his arrest in a case registered for
offence punishable u/s 379 of IPC.

Allegedly, the informant parked his pickup van at Ganesh
Lal Road and in the morning, the informant did not find the
Pickup Van. The informant has alleged that his vehicle has been
stolen by some unknown person.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. Petitioner is not named
in the F.I.R. His name transpired in this case on the confessional
statement of co-accused Sunil Kumar apprehended in



connection with Digha P.S. Case No. 571 of 2019. No such occurrence, in the manner as alleged, has ever taken place. Though the allegation against petitioner is of stealing the pickup van but the petitioner is ill person suffering with paralysis at left side of the body. As per medical report, the petitioner is 50 per cent handicapped. Nothing has been recovered from the conscious physical possession of the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific allegation against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Digha P.S. Case No.557 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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