

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43901 of 2022

Arising Out of PS. Case No.-210 Year-2022 Thana- FATUA District- Patna

Chitranjan Kumar, Son of Shivchandra Kumar Singh @ Shivchandra Singh,
Resident of Village - Govindpur, P.s.- Bidupur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-11-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Fatuha P.S. Case No. 210 of 2022 registered for
the alleged offences under Sections 379, 420, 395 and 412 of the
Indian Penal Code.

As per prosecution case, the Mahindra Bolero pick-up
vehicle of the informant was stolen by unknown thieves and the
informant showed his suspicion that the driver, Nitish Kumar
might be involved in this theft. The name of the petitioner surfaced
during investigation as one of the accused persons.

The learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case



merely on suspicion. The informant has named only the co-accused Nitish Kumar, driver of the vehicle for his involvement. During investigation a raid was conducted on the cloth shop of the petitioner on getting secret information that 3-4 miscreants were present at the cloth shop of the petitioner and talking about looted articles. The petitioner was apprehended on suspicion along with other co-accused persons. The real fact of the case is that the petitioner has been running a cloth shop and on the fateful day four persons came at his shop to purchase cloths from his shop. Raid was conducted by the police on secret information and arrested the co-accused persons with stolen mobile phones which was being transported through allegedly stolen vehicle and the petitioner was also arrested merely on suspicion showing the false recovery of five mobile phones from him. His confession was forcibly extracted. Learned counsel further submits that the petitioner has no concern with the co-accused persons as well as the allegedly recovered mobile phones. The said mobile phones belonged to the persons who came to the shop of the petitioner for purchasing cloth. During investigation it has also come on record that the driver himself stole the vehicle and courier items which were being transported in connivance with other co-accused persons. The petitioner is in custody since 09.05.2022 and the charge-sheet has been submitted in this case. The petitioner is



having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with his clean antecedent and submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City, Patna in connection with Fatuha P.S. Case No. 210 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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