

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50435 of 2022

Arising Out of PS. Case No.-43 Year-2022 Thana- PANJWARA District- Banka

SHIVENDU KUMAR SAH S/o Parmanand Sah Resident of Village-
Padghari, P.S.- Barahat, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-12-2022 Heard the learned counsel appearing for the petitioner
and learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with
Panjwara P.S. Case No. 43 of 2022 for the offence punishable
under Section 414 of the Indian Penal Code.

The case of the prosecution, in brief, is that on
15.04.2022, while the informant along with his police force was
on patrolling duty, they had intercepted the petitioner and one
another person, who were travelling on a T.V.S. moped and on
search a tubular battery was recovered, which is stated to have
been stolen from the Panchayat Bhawan.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, he has been falsely implicated in
the present case and he is languishing in custody since



16.04.2022. It is further submitted that the petitioner is having a fair antecedent inasmuch as he is accused only in one another criminal case. It is next submitted that the petitioner is a daily wage employee and on the alleged date of occurrence, he had taken lift from the other co-accused person namely Pawan Sah to reach his destination, however, in between, the police had intercepted them and recovered the stolen battery kept by the said co-accused on his T.V.S. moped.

Per contra, the learned A.P.P. appearing for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is stated to have taken lift from the co-accused person, who was carrying the stolen battery, apart from the fact that he is languishing in custody since 16.04.2022, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail upon him furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Banka in connection with Panjwara P.S. Case No. 43 of 2022.

(Mohit Kumar Shah, J)

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