

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68382 of 2021

Arising Out of PS. Case No.-173 Year-2021 Thana- MOHAMMADPUR District- Gopalganj

Gudu Ram, Son of Dhora Ram, R/o Village- Mangolpur, P.S.- Mahmmdpur,
District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 02-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Mohammadpur P.S. Case No. 173 of 2021, registered for the alleged offences under Section 379 of the Indian Penal Code and Section 37 (b) (c) of the Bihar Prohibition Excise Act.

As per the prosecution case, the petitioner fled away with jewellery worth Rs. 6 lacs, which was kept in dickey of the motorcycle of the informant.

Learned counsel for the petitioner submits that the



petitioner is innocent. It is not believable that the petitioner ran away with the bag containing jewellery on foot when the informant was having a motorcycle. Due to exchange of hot words, the informant has falsely implicated this petitioner. The story of theft of a bag is a concocted story. The charge sheet has been submitted in this case and the petitioner is in custody since 22.06.2021 and is having clean antecedent.

Learned APP opposes the prayer for bail submitting that there is specific allegation against the petitioner and the witnesses, in paragraphs 3, 4 and 8 of the case diary, have supported the prosecution case about the petitioner fleeing away with the bag containing jewellery.

Perused the records.

Having regard to the facts and circumstances of the case and the submissions made hereinabove and further considering the submission of charge sheet and the period of custody of the petitioner, he 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 Sessions Judge-II, Gopalganj, in connection with Mohammadpur P.S. Case No. 173 of 2021, 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.

V.K.Pandey/-

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

(Arun Kumar Jha, J)

