

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70374 of 2021

Arising Out of PS. Case No.-702 Year-2021 Thana- KHAGARIA District- Khagaria

Guddu Kumar, S/o Ranjeet Sah @ Ranjit Sah R/o village- Sanhauli Gausala
Road, Ward No. 13, P.S.- Chitragupta Nagar, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 26-09-2022 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 Khagaria(Chitraguptanagar) P.S. Case No. 702 of 2021, G.R. No. 2809 of 2021 registered for the alleged offences under Sections 461 and 380 of the Indian Penal Code.

As per prosecution case, unknown thieves took away 39 mattresses and 43 pieces of ceiling fans from a hostel. The name of the petitioner transpired as an accused during investigation.

Learned counsel for the petitioner submits that



petitioner has been falsely implicated in this case on the basis of the statement of informer of the police as well as confessional statement of co-accused persons. Otherwise, there is nothing against this petitioner on record. Nothing incriminating has been recovered from the possession of this petitioner. During investigation, no cogent evidence came up against the petitioner to connect him with the offence. Charge sheet has been submitted in this case and the petitioner is in custody since 10.09.2021. The petitioner is having no criminal history.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and further considering the clean antecedent of the petitioner along with his period of custody 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 Chief Judicial Magistrate, Khagaria in connection with Khagaria (Chitraguptanagar) P.S. Case No. 702 of 2021, G.R. No. 2809 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.

(Arun Kumar Jha, J)

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