

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58870 of 2022

Arising Out of PS. Case No.-54 Year-2022 Thana- MAJHAULIA District- West Champaran

ANIL KUMAR S/O PRABHU PRASAD Resident of Village- Jamuniya
Math, P.S.- Jagdishpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-12-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Majhauria P.S. Case No. 54 of 2022 for the offence registered
under Sections 395 and 397 of the Indian Penal Code.

The allegation is regarding four unknown accused
persons having intercepted the informant, whereafter they are
alleged to have caught the informant and made him sit in a pick
up van, while some of the miscreants had cut the tractor from
the trailer, whereupon they had taken the tractor away.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 06.04.2022.
The learned counsel for the petitioner has submitted that though
the petitioner is an accused in five other criminal cases but he is



on bail in four of them. It is also submitted that the name of the petitioner has transpired in the present case upon disclosure made by the co-accused person, who was arrested by the police along with the tractor/engine in question. It is further submitted that no Test Identification Parade has taken place till date so as to connect the petitioner with the alleged occurrence.

Per contra, the learned A.P.P. 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 neither the tractor in question nor its engine has been recovered from the petitioner and moreover, the name of the petitioner has transpired in the present case upon disclosure made by the co-accused person apart from the fact that no Test Identification Parade has been held till date so as to connect the petitioner with the alleged crime, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on 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, Bettiah,
District-West Champaran in connection with Majhaulia P.S.
Case No. 54 of 2022.

(Mohit Kumar Shah, J)

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