

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70523 of 2021

Arising Out of PS. Case No.-369 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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SURAJ KUMAR @ CHUHA S/o Late Shankar Sah Resident of Village -
Purani Gudari, Ward No. 10, Turha Toli, at present Resident of Mohalla -
Naurnga Bagh, Ward No. 33, P.S. - Bettiah Town, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-06-2022 Heard.

The petitioner seeks regular bail in connection with Bettiah (T) P.S. Case No. 369 of 2021, registered for the offence punishable under sections 379/461 of the Indian Penal Code.

The allegation is regarding unknown miscreants having committed theft in the clinic of the informant and they are stated to have stolen X-ray machine, LED TV etc.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody



since 24.06.2021. The learned counsel for the petitioner has further submitted that the name of the petitioner has transpired in the present case merely upon the confessional statement of the co-accused person, however, no stolen articles have been recovered from the petitioner. It is also submitted that till date no Test identification parade has been held so as to connect the petitioner with the alleged crime.

Per contra, the learned APP 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 parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner apart from the fact that no Test Identification Parade has been held till date so as connect the petitioner with the alleged crime and moreover, the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of bail.



Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of C.J.M., Bettiah, West Champaran in connection with Bettiah (T) P. S. Case No. 369 of 2021.

(Mohit Kumar Shah, J)

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