

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71698 of 2021

Arising Out of PS. Case No.-558 Year-2021 Thana- MADHEPURA District- Madhepura

Arbind Kumar, Son of Bhuvneshwari Yadav @ Bhuvneshwar Yadav, Resident
of Village - Babhani, Ward No.10, P.S.- Gamhariya, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-10-2022 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 Madhepura P.S. Case No. 558 of 2021 registered for the alleged offences under Sections 414, 419 and 201 of the Indian Penal Code.

As per prosecution case, police received informant about petitioner employing co-accused persons for cutting a stolen truck into pieces for selling it as scrap. The truck was seized and the petitioner and other co-accused persons were arrested from the spot.



Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The petitioner owns a kabari shop and he has been falsely implicated in this case at the instance of the co-accused Munchun Jha as the said accused brought the truck and was getting the work of cutting of the pieces with the help of other co-accused persons. Charge sheet has been submitted in this case and the petitioner is in custody since 17.07.2021. Other three co-accused persons have been granted bail vide order dated 29.06.2022 passed in Cr. Misc. no. 11253 of 2022 and vide order dated 07.06.2022 passed in Cr. Misc. No. 72110 of 2022 by different Coordinate Benches.

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 submission of charge sheet along with period of custody of the petitioner and grant of bail to other three co-accused persons, 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, Madhepura in



connection with Madhepura P.S. Case No. 558 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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