

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72304 of 2021**

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

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MUKESH DAS Son of Late Mantu Das Resident of Village- Naurangabag,
Ward No.33, P.S.- Bettiah Town, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-06-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail

in connection with Bettiah Town P.S. Case No. 369 of 2021

registered for the offences punishable under Section 379/461 of

the Indian Penal Code . He is in custody since 05.08.2021

having one criminal antecedent as stated in paragraph ‘3’ of the

application.

As per the prosecution story, the informant has

alleged that he was running a Family Dental Clinic near

Gulabbagh Gaushala, Tin Laltain Chowk. On 14.06.2021, X-ray



machine, LED TV, Dental instrument and cash of Rs. 6000/- were stolen away by unknown thieves after breaking the locks of the Clinic.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, he is not named in the F.I.R. and nothing incriminating article has been recovered from his possession, however he is in custody since 05.08.2021.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the name of the petitioner has transpired in the confessional statement of the co-accused Gobind Kumar, there is no recovery of any stolen material from the possession of the petitioner, the petitioner has remained in custody in connection with this case since 05.08.2021, investigation against him is complete and his presence may be secured in course of trial, therefore, this court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Bettiah Town P.S.



Case No. 369 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

