

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2143 of 2023

Arising Out of PS. Case No.-505 Year-2022 Thana- BAKHTIYARPUR District- Patna

Pintu Kumar Sao @ Pintu Kumar, S/o Ram Bali Sao, R/o Village- Rani Sarai,
P.S.- Bakhtiyarpur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bakhtiyarpur P.S. Case No. 505 of 2022 registered for the alleged offences under Sections 379 and 411 of the Indian Penal Code.

3. As per prosecution case, four buffaloes of the informant were stolen by unknown thieves and on search the informant found two persons loading the animals on a bolero pickup vehicle. One person fled away and this petitioner was apprehended and two buffaloes of the informant were recovered from the pickup van.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case. Petitioner was not caught from the place of occurrence and from the seizure list it is apparent that the seizure was effected from a place near the *Mavehsi Haat*. The seizure list does not contain the signature of the petitioner. Nothing incriminating has been recovered from the possession of this petitioner. The petitioner is the driver of the seized pickup van and he as a part of his duty loaded animals on his van from animal *haat*. Charge sheet has been submitted in this case and the petitioner is in custody since 13.10.2022.

5. Learned A.P.P. for the State opposes the prayer for bail submitting that petitioner was caught red handed with his vehicle on which the stolen buffaloes were loaded and is having criminal antecedent.

6. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the submission of charge sheet along with period of custody of the petitioner, 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 Additional Chief Judicial Magistrate-III, Barh, Patna in connection with Bakhtiyarpur P.S. Case No. 505 of 2022, 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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