

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7600 of 2023

Arising Out of PS. Case No.-237 Year-2020 Thana- BAIRIYA District- West Champaran

Bhosh Choudhary @ Satyendra Choudhary @ Bos Kumar @ Satyendra Kumar Son Of Kapil Choudhary R/O Village- Bagahi Ratanpur, P.S.- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-04-2023 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Bairiya P.S. Case No. 237 of 2020 registered under sections 379, 411 and 34 of the Indian Penal Code.

Prosecution case in short, is that, the motorcycle of the informant had been stolen by unknown miscreants and after that the informant along with one person was going to search his motorcycle, then he saw four miscreants and his motorcycle. On seeing the informant, they started fleeing but one of them was caught with that motorcycle. After query by the police, the apprehended co-accused disclosed the name of this petitioner in



the alleged offence.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The name of the petitioner came in the F.I.R. on the basis of disclosure made by the co-accused person, Ajay Choudhary before the police. It is further submitted that neither anything has been recovered from the possession of the petitioner nor he was arrested on spot. He has no concern with the stolen motorcycle rather the said motorcycle has been recovered from the co-accused Ajay Choudhary and he has already been granted bail by the different co-ordinate Bench of this Court vide Annexure-2 of this petition. Moreover, the petitioner is languishing in judicial custody since 14.10.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bairiya P.S. Case No. 237 of 2020 on furnishing bail bond of Rs. 10,000/-



(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran, Bettiah.

(Sunil Kumar Panwar, J)

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