

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 19801 of 2023**

Arising Out of PS. Case No.-353 Year-2020 Thana- BAIRIYA District- West Champaran

RAJU BHAGAT SON OF LATE PARMA BHAGAT RESIDENT OF
VILLAGE - BINTOLIYA, P.S. - SHRINAGAR (PUJAHAN), DISTT. -
WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s Bashishta Narayan Mishra, Brij Kishor Mishra,
Advocates

For the Opposite Party/s : Mr Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Bairiya Police Station (for brevity, **PS**) Case No 353 of 2020 dated 01.08.2020 registered for the offence punishable under Sections 379, 420, 406/34 of Indian Penal Code.

As per prosecution case, the petitioner was running



Consumer Service Center and is alleged to have withdrawn money from the consumers' account.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal case, as stated in paragraph 3 of the bail petition. He is in custody in this case since 01.02.2023. Learned counsel further submitted that the petitioner has already paid Rs 16,080/- to one Malti Devi, Rs 28,000/- to Usma Devi and Rs 4,000/- to Pramila Devi.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate III, Bettiah, District – West Champaran in Bairiya PS Case No 353 of 2020 dated 01.08.2020 subject to the following conditions:

(1) One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.

(2) The petitioner is directed to



remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail is liable to be cancelled.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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