

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19260 of 2023

Arising Out of PS. Case No.-209 Year-2019 Thana- MUFFASIL District- West Champaran

Durgesh Nandan Singh @ Durgesh Singh @ Durgesh Kumar @ Durgesh Son
of Braj Nandan Singh Resident of Village - Mahiya, P.S.- Muffasil, District -
Saran, Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Nityanand, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-06-2023 Heard Mr. Pranav Kumar Jha, learned counsel for the
petitioner and learned APP for the State.

The Petitioner is apprehending his arrest in connection with Bettiah (Muffasil) P.S. Case No.209 of 2019 registered for the offences punishable under Sections 379, 411, 414, 420, 467, 468/34 of the Indian Penal Code.

Allegation has been leveled that the truck of the informant has been stolen by some unknown thieves, which was parked in front of his office.

Learned counsel appearing on behalf of the petitioner submits that from the FIR, it is evident that the same has been instituted against unknown, however, subsequently the alleged stolen truck was recovered from a Garage and one Jang Bahadur



Ray was apprehended by the police and on whose confession the name of the petitioner along with others has surfaced. He further submits that the person whose name has transpired on the confessional statement of Jang Bahadur Ray, has been allowed privilege of anticipatory bail by learned Coordinate Bench of this Court in Cr. Misc. No. 29382 of 2020 vide order dated 22.01.2021. He next submits that so far the delay in approaching the Court is concerned, the petitioner is not named in the FIR and there was a nation wide pandemic on account of COVID-19 hence delay has occurred.

On the other hand learned APP for the State vehemently opposes the bail application and submits that the petitioner is carrying one criminal antecedent of similar nature, and he appears to be a habitual offender.

Regard being had to the submissions made on behalf of the parties and considering the fact that the person having similar allegation has been allowed privilege of bail by learned Coordinate Bench of this Court and save and except the confessional statement there is no other material against the petitioner nor any incriminating material has been recovered from his possession, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned



Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah (Muffasil) P.S. Case No.209 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Harish Kumar, J)

manoj/-

U		T	
---	--	---	--

