

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21968 of 2022**

Arising Out of PS. Case No.-479 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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LALAN RAM @ LALLAN RAM S/o Late Chokat Ram R/o Village -
Kharkatwa Murli, P.S. - Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vimlesh Kumar Pandey
For the Opposite Party/s : Mr.Gauri Shankar Gupta

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

3 12-01-2023 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with Bettiah

Town (Kalibagh O.P.) P.S. Case No. 479 of 2021 registered for

the offences punishable under Section 379 of the Indian Penal

Code.

As per prosecution case, informant's motorcycle

was stolen by unknown person.

Learned counsel for the petitioner submits that

petitioner is not named in the FIR. Petitioner bears one criminal

antecedent i.e. Shikarpur P.S. Case No. 435 of 2021 under



Section 414 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act in which he is on bail. Learned counsel for the petitioner further submits that petitioner made confessional statement in the aforesaid case and he was remanded in the present case on 06.10.2021 and since then he is in custody. He further submits that motorcycle was found in abandoned condition and police apprehended the petitioner merely on suspicion. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner is quite innocent and falsely implicated in the case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Bettiah, West Champaran in connection with



Bettiah Town (Kalibagh O.P.) P.S. Case No. 479 of 2021,
subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

vashudha/-

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