

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30650 of 2023**

Arising Out of PS. Case No.-34 Year-2022 Thana- SONEPUR District- Saran

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Ritu Raj @ Ritu Tiwari Son Of Ram Ekbal Tiwari R/O-Bela, P.S.-
DARIYAPUR, Distt.-SARAN

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Srivastva, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 13-07-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Sonapur
P.S. Case No. 34 of 2022 registered for the offence under
Sections 401, 413, 414, 467, 468, 420/34, 120-B of the Indian
Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 11.03.2022.

The accused/petitioner alleged to be a member of
gang of thieves, where on raid, petitioner apprehended with
three co-accused persons, where stolen mobile, motorcycle and
other incriminating material recovered from their possession.



Learned counsel appearing on behalf of the petitioner submitted that petitioner was not apprehended on spot and same is apparent from seizure list, where his signature is missing. It is submitted that nothing incriminating recovered from the physical possession of this petitioner. It is submitted that seizure list is not supported by independent witnesses rather by police personnels. While concluding the argument, it has been submitted that petitioner found involved in two more criminal cases, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as petitioner not apprehended on spot where no incriminating material appears to be recovered from his physical possession as per seizure list coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 11.03.2022, accordingly, above named petitioner is directed to be released on bail in connection with Sonapur P.S. Case No. 34 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Saran at Chapra/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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