

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31266 of 2023**

Arising Out of PS. Case No.-23 Year-2023 Thana- SINGHESHWAR District- Madhepura

Pawan Kumar son of Gajendra Prasad Yadav @ Gajendra Yadav Village-
Azad Tola, Adarsh Nagar, Ward no-8, P.S. and Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Barun Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 27-06-2023 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
Singheshwar P.S. Case No. 23 of 2023 registered for the offence
under Sections 461, 379, 511 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 28.01.2023.

The allegation against this petitioner is to make an



attempt to commit theft of battery bank from mobile tower location.

Learned counsel appearing on behalf of the petitioner submitted that out of local dispute, petitioner was implicated with present case, where apparently arrest was made by private persons. It is submitted that nothing recovered/surfaced during the course of investigation from the possession of this petitioner. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has already 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 arrest of petitioner was made by private persons without having any recovery of incriminating materials, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 28.01.2023, accordingly the petitioner, above named, is directed to be released on bail in connection with Singheshwar P.S. Case No. 23 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate Madhepura/concerned Court,
subject to the conditions as mentioned under Section 437(3) of
the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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