

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33097 of 2023

Arising Out of PS. Case No.-224 Year-2022 Thana- BELA District- Sitamarhi

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Baliram Son of Jogi Thakur Resident of Village- Timkiya P.S.- Ramgopalpur,
Dist- Mohatari (NEPAL)

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with Bela P.S.

Case No. 224 of 2022 registered for the offence under Section

414 of the Indian Penal Code.

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

custody since 09.09.2022.

The allegation against the petitioner is to have in

possession of one stolen scooty alongwith other co-accused

persons.



Learned counsel appearing on behalf of the petitioner submitted that alleged recovery of stolen scooty not appears to be made from the conscious physical possession of this petitioner rather same has been made from the joint possession. It is submitted that similarly situated co-accused, namely, Raghunandan Das has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 587 of 2023 vide order dated 29.03.2023. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent 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 alleged recovery of stolen scooty not appears to be made from the conscious physical possession of this petitioner coupled with the fact that charge-sheet has been submitted, where petitioner is in custody since 09.09.2022, accordingly, the petitioner, above named, is directed to be released on bail in connection with Bela P.S. Case No. 224 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Sub-Divisional Judicial Magistrate, Sadar Sitamarhi/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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