

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33166 of 2023

Arising Out of PS. Case No.-82 Year-2023 Thana- SASARAM NAGAR District- Rohtas

RAJU CHAUDHARY SON OF AWADHESH CHAUDHARY RESIDENT
OF VILLAGE- WARD NO. 29, SHIVGANJ, PS- DEHRI TOWN, DISTT-M
ROHTAS AT SASARAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2023 Heard learned counsel appearing on behalf of the parties.

The petitioner seeks bail in connection with Sasaram (Town) P.S. Case No. 82 of 2023 registered for the offence under Sections 379, 413 and 414 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 02.02.2023.

The allegation against the petitioner is to commit theft and while committing so, taken away mobile, which was in possession of informant.

Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated falsely with present case, out of some sudden altercation. It is submitted that arrest of petitioner was made by informant and others, where, alleged mobile was also produced by the informant after the occurrence to the police, but



surprisingly no signature of petitioner is available over seizure list, creating serious doubt regarding occurrence, favouring false implication. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as arrest of petitioner was made by private person and as seizure list also appearing doubtful on its face coupled with the fact that charge-sheet has already submitted, where, petitioner is in custody since 02.02.2023, let the petitioner, above named, is directed to be released on bail in connection with Sasaram (Town) P.S. Case No. 82 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, Rohtas at Sasaram/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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