

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35722 of 2023

Arising Out of PS. Case No.-368 Year-2022 Thana- KARJA District- Muzaffarpur

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Dhiraj Kumar @ Chedi @ Chhedi Yadav Son of Late Jawahar Mahto
Resident of village - Tarsan Kishuni, P.S. - Sadar, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Ms.Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Karja P.S.
Case No.368 of 2022 registered for the offence under Sections
356, 379, 414, 411 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 12.12.2022.

The allegation against the petitioner is to have in
possession of one stolen mobile alongwith other co-accused



persons, where petitioner was apprehended by police during the routine checking.

Learned counsel appearing on behalf of the petitioner submitted that the motorcycle was jointly occupied and alleged stolen mobile was recovered from the possession of co-accused, namely Monu Kumar, and not from the conscious physical possession of this petitioner. While concluding the argument, it is submitted that petitioner found involved in one more case, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

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

In view of the facts and circumstances as mentioned above as alleged stolen mobile was not recovered from this petitioner, rather from co-accused Monu Kumar, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 12.12.2022, accordingly petitioner, above named, is directed to be released on bail in connection with Karja P.S. Case No.368 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 Judicial Magistrate-



1st Class, Muzaffarpur/concerned court, subject to the
conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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