

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38223 of 2023

Arising Out of PS. Case No.-175 Year-2022 Thana- PAKRIDAYAL District- East Champaran

DAUD MOHHAMAD @ MD. DAUD @ MOHHAMAD DAUD Son of Late
Md. Vakil @ Vakil Miyan Resident of Village - Shikarganj, P.S.- Sikarganj,
District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-07-2023 Heard learned counsel appearing on behalf of the parties.

The petitioner seeks bail in connection with Pakridayal P.S. Case No.175 of 2022 registered for the offence under Section 379 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and is in custody since 26.11.2022.

The allegation against the petitioner is to commit theft and while committing so, taken away motorcycle of informant, along with other unnamed co-accused persons.

Learned counsel appearing on behalf of the petitioner submitted that petitioner remanded in present case from Pakridayal P.S. Case No. 178 of 2022, where, his self confession



was recorded, in furtherance of which, no incriminating material recovered/surfaced against this petitioner, so as to connect him, *prima facie*, with the present occurrence of theft. It is submitted that petitioner was not put on TIP, as yet. While travelling over the argument, it is submitted that petitioner is named in 07 more criminal cases, where, in maximum of cases, his named surfaced on the basis of suspicion, out of self confession, as of present case. While concluding the argument, it is submitted that 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 appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no incriminating material recovered/surfaced in furtherance of self confession of this petitioner, so as to connect him, *prima facie*, with present occurrence of theft coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in connection with Pakridayal P.S. Case No.175 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 A.C.J.M.-8th, East Champaran, Motihar/concerned court,
subject to the condition as mentioned under Section 437(3) of
the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Katyayan/-

U		T	
---	--	---	--

