

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49637 of 2023**

Arising Out of PS. Case No.-27 Year-2023 Thana- DHAKA District- East Champaran

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Amit Kumar Singh @ Bittu Singh S/O Ram Binay Singh @ Binay Singh R/O  
Village- Mishrauliya, P.S- Chiraiya, Distt.- East Champaran.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Ms. Renu Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      08-08-2023                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period  
of four weeks from today.

3. The petitioner seeks bail in connection with Dhaka  
P.S. Case No. 27 of 2023 registered for the offence under  
Section 379 of the Indian Penal Code.

4. The accused/petitioner is named in the F.I.R. and is  
in custody since 27.03.2023.

5. The allegation against the petitioner is to commit  
theft alongwith other named co-accused persons and while  
committing so taken away cash of Rs. 6 lacs from the dickey of  
motorcycle of the informant.

6. Learned counsel appearing on behalf of the



petitioner submitted that from the narration of FIR itself, it appears that accused persons including this petitioner were not known to informant and mere on the basis of information supplied by unknown persons, who were present over there, petitioner was implicated with present case alongwith other co-accused prsons and as such, it can be safely said that implication of petitioner is on hearsay input of unknown public. It is further submitted that no incriminating material recovered during the course of investigation from the possession of this petitioner as to connect him with present occurrence of theft. While concluding the argument, it is submitted that implication of this petitioner made in this case also out of suspicion arises out of his criminal antecedents as he found involved in eight more criminal cases, where he is on bail in five cases and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP, opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above and by taking note of fact as implication of petitioner appears in this case on the basis of hearsay input as supplied by unknown public gathered over place of occurrence,



coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 27.03.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Dhaka P.S. Case No. 27 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 C.J.M., East Champaran, Motihari/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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