

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58719 of 2022

Arising Out of PS. Case No.-270 Year-2013 Thana- HARNAUT District- Nalanda

SANJAY THATHERA @ SANJAY KUMAR S/O Late Umesh Sao @ Umesh
Thathera R/V- Sammaspur, P.S.- Fatuha, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo, Advocate

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Harnaut P.S. Case No. 270 of 2013
for the offence registered under Sections 395 and
397 of the Indian Penal Code.

The allegation is regarding unknown
miscreants having committed theft in the
transformer repairing work shop of the Bihar State
Electricity Board, Patna situated in the district of
Jehanabad, whereafter they had stolen copper wire
and other articles from the store room.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, he has



been falsely implicated in the present case and he is languishing in custody since 14.06.2022. The learned counsel for the petitioner has further submitted that the petitioner was initially arrested in connection with Fatuha P.S. Case No. 339 of 2013, whereafter on the alleged confessional statement of the petitioner, he has been implicated and remanded in the present case as also in one another case bearing Fatuha P.S. Case No. 365 of 2013, however, apart from the said cases, the petitioner is not having any criminal history. It is also submitted that no recovery has been made from the possession of the petitioner and after nine years of the alleged incident, the petitioner has been roped in the present case with oblique motive.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials



available on record as also considering the fact that the petitioner has been roped in the present case after nine years of the alleged incident and no recovery has been made from him, I deem it fit and proper to admit the petitioner to the privilege of bail, however, subject to verification of his criminal antecedent, apart from the present case and two other criminal cases disclosed in the impugned order dated 30.08.2022.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda at Bihar Sharif in connection with Harnaut P.S. Case No. 270 of 2013.

(Mohit Kumar Shah, J)

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