

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 67570 of 2022

Arising Out of PS. Case No.-467 Year-2020 Thana- DHAKA District- East Champaran

Niraj Kumar Son of Vinay Paswan R/v- Malkoniya, P.S.- Dhaka (O.P. Pachpakadi), District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 27-02-2023 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Dhaka P.S. Case No. 467 of 2020 lodged under Sections 457, 380 & 411 of the I.P.C.

As per the prosecution case, the allegation of theft of 22 pieces of L.E.D. T.V. (20 pieces of Khaitan Company and 2 pieces of Micromax) and 48 pieces of Safari Suit Case Trolley.

Learned counsel for the petitioner submits that petitioner has not named in the F.I.R. and F.I.R. has been lodged against unknown but his name has come in this case by virtue of the reason that 1 L.E.D. T.V. was recovered from his possession.

Counsel submits that co-accused has made confessional statement about the existence of T.V. and then only name of petitioner has figured. Counsel submits that petitioner is in custody since 17.08.2022 and he is having no criminal antecedent. Counsel further submits that the case under Sections 457, 380 and 411 are magisterial triable in nature.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikarhana at Dhaka, East Champaran in connection with Dhaka P.S. Case No. 467 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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