

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66246 of 2022

Arising Out of PS. Case No.-473 Year-2022 Thana- BARAUNI District- Begusarai

Bittu Kahar @ Bittu Kumar S/O Umesh Singh Resident Of Village- Papraur,
P.S.- Barauni (zero Mile O.P.) District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shubhesh Pandey, Advocate Mr. Vinit Kumar, Advocate
For the State	:	Mr. Binod Kumar No.3, APP
For the Informant/s	:	Mr. Rajkumar, Advocate Mr. Sarvottam Kumar, Advocate Mr. Vijay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-03-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

Petitioner seeks regular bail in connection with Barauni P.S. Case No. 473 of 2022 registered for the offences punishable under Sections 379 and 461 of the Indian Penal Code.

As per the prosecution, the informant alleged that some unknown miscreants committed loot at the alleged place and took away a motorcycle, clothes, ornaments and electronic



devices etc.

The main submissions advanced by petitioner's counsel are that though the petitioner is named in the FIR but only suspicion was raised by the informant against him and other co-accused persons and after his arrest the police did not recover any part of the theft articles from the possession of this petitioner and the alleged incident is said to have taken place on 10.10.2022 but the FIR was lodged on 14.10.2022 and the petitioner's name surfaced in the statement of co-accused during the course of investigation and he has fair and clean antecedent and has been languishing in jail since 16.10.2022 and against him the investigation has been completed.

Learned APP appearing for the State as well as learned counsel appearing for the informant has opposed the prayer for bail and submitted that from the possession of co-accused persons some part of the theft articles were recovered but they cannot give any detail of the recovery of any incriminating material from the possession of this petitioner.

Considering the above submissions and mainly petitioner's custody period, his fair and clean antecedent and petitioner's plea as to non recovery of any part of the theft article from his possession which has not been refuted by



learned counsel for the informant as well as learned APP for the State, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Barauni P.S. Case No. 473 of 2022.

(Shailendra Singh, J.)

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