

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66679 of 2022

Arising Out of PS. Case No.-215 Year-2022 Thana- PIPRAKOTHI District- East Champaran

Ranjan Kumar S/o Devlal Sahani R/v- Pakadiya Tola Kubra, P.S.- Harsidhi,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 25-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with
Piprakothi P.S. Case No. 215 of 2022 registered for the offence
under Sections 328, 420, 392 and 34 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 30.08.2022.

The allegation against the petitioner is to commit
robbery alongwith other co-accused persons and while
committing so taken away truck loaded with 1500 container of
palm oil.

Learned counsel appearing on behalf of the petitioner



submitted that on the basis of Call Details Report the mobile of driver/informant of alleged looted truck was recovered from this petitioner. It is submitted that the allegation of recovery of mobile of the informant is completely false, as same has been purchased by this petitioner from a local person. It is submitted that alleged recovery of truck was made in front of the house of co-accused Anil Yadav, which is an open place and accessible by general public and, as such, it cannot be said that recovery was made in furtherance of confession. It is also submitted that petitioner was not put on TIP, as yet. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that petitioner is not named in F.I.R.

Considering the facts and circumstances as mentioned above, as alleged recovery of looted truck was made from an open place, accessible by general public, where petitioner is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Piprakothi P.S.



Case No. 215 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 Chief Judicial Magistrate,
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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