

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71168 of 2023

Arising Out of PS. Case No.-97 Year-2023 Thana- DARPA District- East Champaran

Sikindr Yadav @ Sikandar Kumar S/O Bigu Rai R/O Villag- Gamhariya Kala,
P.S- Darpa, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Darpa P.S. Case No. 97 of 2023 registered on 17.08.2023 for the alleged offences under Sections 457/380 of the Indian Penal Code.

03. As per prosecution case, a theft was committed in the locked house of the uncle of the informant after breaking the lock and thieves took away T.V., Inverter, Battery, Motor, cash Rs.12,000/- and other articles from the house. The name of the petitioner transpired during investigation as the person who purchased the stolen articles.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. During investigation, co-accused Vikash Kumar was arrested and his confessional statement was recorded, who named two other co-accused persons, namely, Upendra Kumar and Kanahi Kumar for being his associates who committed theft in the house of the informant's uncle. The same co-accused also stated that he sold the Battery and Inverter in the hands of the petitioner for an amount of Rs. 5,000/-, but the petitioner was having no knowledge that the Battery and Inverter were the stolen articles and the petitioner did not participate in the crime of theft. The petitioner is in custody since 19.08.2023 and the petitioner has got no criminal history.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the possibility of no direct involvement of the petitioner in the offences as alleged and further considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class/concerned court, Raxaul at Motihari, East Champaran in connection with



Darpa P.S. Case No. 97 of 2023, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Ashish/-

U		T	
---	--	---	--

