

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70058 of 2022

Arising Out of PS. Case No.-239 Year-2022 Thana- GOPALPUR District- Patna

Niraj Kumar S/o Late Anil Kumar Prasad R/v- Maharajpur, P.S.- Aungari,
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-03-2023 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 Gopalpur
P.S. Case No. 239 of 2022 registered for the offence under
Sections 379 and 411 of the Indian Penal Code (for short
'I.P.C.').

The accused/petitioner is named in the F.I.R. and is in
custody since 01.07.2022.

The allegation against the petitioner is to commit theft
and while committing so taken away motorcycle belongs to the
informant.



Learned counsel appearing on behalf of the petitioner submitted that petitioner falsely implicated by informant for certain money related transactions as some amount was due to petitioner, where informant appears to be mason. It is submitted that with similar allegation a case was also registered in neighbouring district i.e., Nalanda, which was registered as Aungari P.S. Case No. 59 of 2022, where petitioner is on bail. It is also submitted that no seizure list was prepared in this case and except the another case of informant, the antecedent of petitioner is clean. While concluding the argument it has been submitted that investigation of this case is completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged stolen motorcycle not appears to be made from the possession of this petitioner coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Gopalpur P.S. Case No. 239 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 Court of 4th



Additional Session Judge, Patna/concerned court, subject to the
conditions as mentioned under Section 437(3) of Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

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