

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70828 of 2022

Arising Out of PS. Case No.-176 Year-2022 Thana- KURTHA District- Jehanabad

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Lalu Yadav Son of Besraj Singh R/V- Gaharpur, P.S- Kurtha, Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-04-2023 Heard learned counsel appearing on behalf of the parties.

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

The petitioner seeks bail in connection with Kurtha P.S. Case No. 176 of 2022 registered for the offence under Sections 379, 411 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 19.06.2022.

The allegation against the petitioner is to commit theft along with other co-accused persons and while committing so, taken away motorcycle belongs to the informant, while, informant was sleeping in a community hall on the intervening night of 17.06.2022, after parking his motorcycle thereof.



Learned counsel appearing on behalf of the petitioner submitted that petitioner has falsely implicated in this case, where, his name surfaced on the basis of confessional statement of apprehended co-accused, namely, Satish Kumar, in furtherance of which no incriminating material recovered/surfaced, which may connect this petitioner, *prima-facie*, with the present occurrence of theft. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except confession, nothing appears incriminating against this petitioner to connect with the present allegation of theft, where, petitioner is in custody since 19.06.2022 coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in connection with Kurtha P.S. Case No. 176 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 S.D.J.M., Arwal/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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