

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71759 of 2022

Arising Out of PS. Case No.-296 Year-2022 Thana- BEUR District- Patna

Prakash Kumar, S/o Satya Narayan Kumar, R/V- Jhain Chak, P.S.- Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-03-2023 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 Beur P.S. Case No. 296 of 22 registered for the offence under Section 379 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and is in custody since 03.07.2022.

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

Learned counsel appearing on behalf of the petitioner



submitted that name of petitioner surfaced during the course of investigation on the basis of suspicion and in furtherance of suspicion, self confession of petitioner was obtained, where in furtherance of which no incriminating material recovered/surfaced from the possession of petitioner to connect with present occurrence of theft. It is also submitted that petitioner is a tenant of informant and implication is founded over dispute related with tenancy. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent, and moreover, investigation of this case is completed, for which charge-sheet has been submitted, 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 no incriminating material recovered from the possession of this petitioner in furtherance of self confession, who is a man of clean antecedent, 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 Beur P.S. Case No. 296 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 J.M., Patna/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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