

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70578 of 2022

Arising Out of PS. Case No.-56 Year-2015 Thana- BARAUNI District- Begusarai

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BIRENDRA KUMAR SINGH @ BITTU SINGH S/O SUNIL SINGH
Resident of village- Davidih, P.S.- Chandramandi, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 19-04-2023 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner has preferred this application for grant of regular bail in connection with Barauni P. S. Case No. 56 of 2015 dated 12.02.2015 registered for the offences punishable u/s 379 of the Indian Penal Code.

As per the prosecution case, a tanker loaded with eighteen thousand litres diesel was parked at the Govindpur for repairing and on 07.02.2015 when the driver of the said tanker woke up in the morning, the tanker was found missing. Later on, one Munshi Ajay informed that the said tanker was lying in damaged condition near Tin Pahari, at Tali Thana in Jharkhand and the diesel of the said tanker was stolen.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No such occurrence as alleged has ever taken place. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up during the course of investigation. No incriminating material has been recovered from the possession of the petitioner. The petitioner is accused in one more criminal case which is not related to theft as stated in para 3 of the bail petition. The petitioner is in custody since 05.11.2022.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusaria in connection with Barauni P. S. Case No. 56 of 2015.

The application stands allowed.

(Chandra Prakash Singh, J)

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