

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74489 of 2022

Arising Out of PS. Case No.-83 Year-2022 Thana- PATLIPUTRA District- Patna

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Sujeet Kumar @ Stairing, Son of Ram Dular Mahto R/O Mohalla- Kurji, Gate
No. 64, P.O.- Sadaquat Ashram, P.S.- Digha, District- Patna-10.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Maheshwar Prasad, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-03-2023 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 Patliputra

P.S. Case No. 83/2022. G.R. No. 357/2022 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 02.04.2022.

The allegation against the petitioner is to have in

possession of one motorcycle alleged to be stolen.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner remanded in present case on the basis of his self confession while apprehended in Digha P.S. Case No. 161 of 2022. It is also pointed out that in furtherance of self confession, no incriminating material recovered/surfaced during the course of investigation to connect petitioner, *prima facie*, with the present occurrence. It is also pointed out that as parents of petitioner are in inimical terms with the local police, for the said reason, the petitioner implicated in this false case. While concluding the argument, it is submitted that petitioner found involved in four cases, where he is on bail 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, while opposing the prayer of bail fairly conceded that petitioner is not named in the FIR.

Considering the facts and circumstances as mentioned above and by taking note of nature of allegation, where petitioner is in custody since 02.04.2022, coupled with fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Patliputra P.S. Case No. 83/2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned A.C.J.M.-X,
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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