

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.542 of 2023

Arising Out of PS. Case No.-569 Year-2022 Thana- MADHEPURA District- Madhepura

Anjesh Kumar Son Of Umesh Yadav R/O Village- Ratanpura, P.S.-
Madhepura (GHAILARH O.P.), District- Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 413, 414/34 of the Indian Penal Code.

The allegation against the petitioner is that he is involved in committing theft of oil from the electricity transformer on different places with the assistance of his vehicle driver, namely, Rahul Kumar and others. It is further alleged that a white coloured Scorpio, bearing registration No. WB-20AG-4725, recovered in front of



house of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that alleged recovery of scorpio vehicle has been recovered in front of house of petitioner which is open place and beside the village road and everyone has got easy access to that place in-fact nothing incriminating has been recovered from the possession of petitioner and he has no concern with the alleged seized vehicle. It is further submitted that the person who have become witness of the alleged seizure do not belong to the village of petitioner although in the F.I.R. informant has admitted that the local people of village of petitioner has stated that vehicle belongs to petitioner. Moreover, the petitioner has suo motto surrendered on 5.11.2022 before the learned Lower Court and since then he is languishing in judicial custody.

Learned APP appearing for the State has



vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Madhepura (Ghailarh O.P.) P.S. Case No. 569 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 the learned Chief Judicial Magistrate, Madhepura.

(Sunil Kumar Panwar, J)

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