

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78560 of 2023

Arising Out of PS. Case No.-136 Year-2023 Thana- ATRI District- Gaya

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Jitendra Chaudhary @ Bihari Chaudhary Son of Late Balchand Chaudhary
Village- Tetua Ps- Atri Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Adv.

For the Opposite Party/s : Mr.Kanhaiya Kishore (APP.100)

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Atri P.S.
Case No. 136 of 2023 instituted for the offences under Sections
379 and 411 of the Indian Penal Code.

3. The prosecution case, in short, is that on 14.03.2023
at 3:30 pm, the Informant had gone to Tetua Bazar from FI
Glamour Motorcycle bearing Reg. No. BR21Z5590 and parked
the same near Thana More on Atri Jethian road and went to
purchase goods. When he returned then he did not find his
motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. The petitioner is not named in the F.I.R. and his name has transpired in this case in course of investigation. The charge-sheet has been submitted in this case under Sections 379, 411 of the I.P.C. and the cognizance has also been taken under Sections 379, 411 of the I.P.C. The petitioner has three criminal antecedents of the Excise Act and he is on bail in one of them. He submits that as per seizure list, the theft motorcycle has been shown to be recovered from the possession of the petitioner.

5. The petitioner is languishing in judicial custody since 16.03.2023.

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

7. Considering the aforesaid facts and circumstances of the case as also taking into account the period of custody, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Atri P.S. case No. 136 of 2023, subject to condition that;

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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