

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79004 of 2023**

Arising Out of PS. Case No.-16 Year-2023 Thana- CHIRAIYA District- East Champaran

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SANJEET SAH SON OF ALGU SAH R/O VILLAGE- BELWA CHOWK,
P.S.- KOTWA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 379 of the Indian Penal
Code.

3. As per prosecution case, informant filed a case
before S.H.O. Sikarganj and after receipt of information, S.H.O.
conducted enquiry and he came to know that in the night of
10.01.2023 in village Kapurpakadi and Kathmaliya some



unknown thief has stolen the HT Rabbit electric wire from around 27 poles.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR and the same has been lodged against unknown persons. The name of the petitioner has come into light, on the basis of confessional statement of co-accused Sandeep Mahto, which has got no evidentiary value in the eyes of law. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 31.11.2023 passed in Cr. Misc. No. 75915 of 2023. He is languishing in judicial custody since 20.02.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand



only) with two sureties of the like amount each to the satisfaction of the learned J.M.-1st Class at Dhaka, East Champaran, Motihari in connection with Chiraiya P.S. Case No. 16 of 2023.

(Sunil Kumar Panwar, J)

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