

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8736 of 2024

Arising Out of PS. Case No.-226 Year-2023 Thana- BHANGWANPUR HAT District- Siwan

Raju Sharma, Son of Late Dwarika Sharma, Resident of Village - Khedwa,
P.S. - Basantpur, District-Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Bhagwanpur Hat P.S. Case No.226 of 2023 registered under Sections 379 and 414 of the Indian Penal Code.

3. The prosecution case, in short, is that the informant had parked his Bolero vehicle and got out to take breakfast, in the meantime, Bolero vehicle was stolen and the miscreants began to flee away. When the informant chased them, one miscreant caught hold by the nearby people and upon asking, he disclosed the name of his associates as Sanjay Sah, Mantoo Mishra, and Raju Sharma (petitioner), who succeeded in fleeing away.



4. Learned counsel for the petitioner submitted that petitioner is innocent and he has been falsely implicated in this case. It is submitted that stolen vehicle was recovered from possession of co-accused Keshav Parvat. It is further submitted that nothing has been recovered from the conscious possession of the petitioner and there is no cogent materials available against him and only due to the past criminal antecedent, the name of petitioner has been dragged in this case. It is further submitted that similarly situated co-accused, namely, Sanjay Sah has already granted bail by one of the learned co-ordinate Bench of this Court vide order dated 10.01.2024 passed in Cr. Misc. No.82955 of 2023.

5. Learned APP opposes the prayer of bail.

6. In view of the above-mentioned facts and circumstances, as recovery of vehicle not appears to be made from possession of this petitioner, accordingly, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks from today, 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, Siwan in connection with Bhagwanpur Hat P.S. Case No.226 of



2023, subject to the conditions as laid down under Section
438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

Sanjeet/-

U		T	
---	--	---	--

