

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32275 of 2024

Arising Out of PS. Case No.-89 Year-2023 Thana- NATIONAL HIGHWAY District-
Samastipur

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Surya Mani Choudhary Son of Jagarnath Chaudhary @ Jagannath Choudhary
Resident Of Village - Chandauli, Police Station - Tajpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.

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

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

ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with N.H.
Bangara P.S. Case No. 89 of 2023 instituted for the
offences under Section 379, 411 of the Indian Penal Code.

3. As per prosecution case, unknown miscreants
have committed theft of Toto vehicle of the Informant
bearing Regd. No. BR33ER/3697.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as
alleged against him and has falsely been implicated in the
present case. The petitioner is not named in the F.I.R. and



has name has surfaced in this case during investigation when the petitioner along with one Md. Aftab was arrested by the police. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has two criminal antecedents and is languishing in judicial custody since 20.07.2023 without any rhymes or reason. Charge-sheet has been submitted in this case and the cognizance has also been taken against the petitioner.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner submitting that though the petitioner is not named in the F.I.R. but, the theft Toto, in question, has been recovered from the possession of the petitioner and co-accused.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, 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 N.H.
Bangara P.S. Case No. 89 of 2023.

(Rudra Prakash Mishra, J)

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