

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41430 of 2024

Arising Out of PS. Case No.-371 Year-2023 Thana- GARKHA District- Saran

Rambabu Kumar @ Rambabu Ray, Son of Late Hotilal Ray, Resident of
Village - Kuchaw, P.S. - Garkha, District - Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 18-09-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Garkha P.S. Case No.371 of 2023 registered for the
offence punishable under Section 379 of the Indian Penal
Code.

3. The accused/petitioner is not named in the FIR
and is in custody since 04.10.2023.

4. Allegation against the petitioner is to commit
theft of motorcycle bearing Registration No. BR04-AK8257
along with unknown persons which belongs to informant.

5. It is submitted by learned counsel that
petitioner has been falsely implicated with present case. It is



further submitted that implication of this petitioner appears on the basis of suspicion, where the recovery is also not appears to be made in furtherance of the confessional statement, as alleged, for the reason that no seizure list in connection with recovery was made during investigation. It is submitted that out of suspicion, as petitioner found involved in three more criminal cases of similar nature, the petitioner was implicated falsely with present case without having any connecting evidence. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of nature of accusation in totality, coupled with the fact that investigation of this case is already completed, where petitioner is in custody since 04.10.2023, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VII, Saran at Chapra in connection with Garkha P.S. Case No.371 of 2023, subject to the conditions as laid down under Section 437(3) of the CrPC/under Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

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