

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80036 of 2024

Arising Out of PS. Case No.-423 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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Gulten Majhi @ Gulten Manjhi S/o Chandradeo Majhi @ Chanardeo Manjhi
Resident of village- Machhahan, P.S.- Muffasil, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Adv.
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-12-2024 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Muffasil P.S. Case No. 423 of 2022 lodged on 11.06.2022,
for the offences punishable under Section 379, 414 & 34 of the
Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
two named accused persons including the present petitioner
against whom there is allegation that they tried to commit theft
from the informant.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that petitioner has not been apprehended from the place



of occurrence, rather, the apprehended accused person has disclosed the name of the petitioner. Counsel submits that the present case has been lodged under section 379, 414 of the IPC, but the ingredients of sections 379 and 414 are not present against the present petitioner save and except his name has been figured in this case by virtue of the confessional statement of co-accused. Counsel further submits that the criminal antecedent of the petitioner is clean. Counsel submits that the apprehended person has been granted bail by this Court *vide* order dated 22.02.2023 passed in Cr. Misc. No.62578 of 2022.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari, in connection with Muffasil P.S. Case No. 423 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

7. It is made clear that in case, the petitioner shall



delay and not appear after fixing the date for framing of charge
for two consecutive dates, his bail bond shall be cancelled.

(Dr. Anshuman, J)

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