

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83342 of 2023

Arising Out of PS. Case No.-205 Year-2022 Thana- GAUNAHA District- West Champaran

ABHAY KUMAR UPADHYAY @ RUNJHUN UPADHYAY SON OF LATE
RAMA UPADHYAY @ LATE RAMA UPADHYA R/O VILLAGE-
JAYMANGALPUR, P.S.- SHIKARPUR, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate Mr. Krishna Kant Pandey, Advocate Ms. Anjali Kumari, Advocate
For the Opposite Party/s	:	Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Gaunaha P.S Case no.205 of 2022 registered under sections 420, 467, 468, 471, 414 and 34 of the Indian Penal Code.

3. As per the prosecution case, on information having been received about a stolen tractor coming towards the informant, the same was signalled to stop for checking. The driver managed to escape. It is stated that subsequently he was arrested and he is the petitioner herein.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of his



antecedents. He has no concern with the stolen tractor and has been arrested under mistaken identity. The co-accused Manku Kumar @ Manku Kumar Patel who was also arrested along with the petitioner has been enlarged on bail vide order dated 4.5.2023 passed in Cr. Misc. no.66843 of 2022. The petitioner is in custody since 5.7.2023 and charge-sheet has been submitted in the case.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, grant of bail to co-accused Manku Patel, the petitioner having remained in custody for 6 months since 5.7.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Gaunaha P.S Case no.205 of 2022 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 Additional Chief Judicial Magistrate-II, Bettiah, West Champaran.

(Partha Sarthy, J)

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