

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2790 of 2025

Arising Out of PS. Case No.-63 Year-2024 Thana- KAMTAUL District- Darbhanga

Pankaj Chaupal S/o- Late Shivilal Chaupal Resident of village - Gopalpur,
P.s.- Kamtaul, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

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

ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in Kamtaul P.S. Case No.
63 of 2024, instituted for the offences punishable under Section
379 of the Indian Penal Code.

3. The prosecution case, in short, is that, pick-up van
bearing Registration No. BR07G-4859 loaded with DJ Dhamal
Radha Sound was stolen away by unknown thief from the
Darwaja of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner further submitted that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement of co-accused, and the same has no evidentiary value. The stolen articles i.e. pick-up van including DJ sound box, etc. were recovered from the possession of co-accused, namely, Satish Kumar Paswan and Pradeep Mahto. No stolen articles have been recovered from the possession of the petitioner. No T.I parade has been conducted in this case. The petitioner has been remanded in this case on 28.03.2024 from Kamtaul PS Case No. 66 of 2024 and has got six criminal antecedents. Other co-accused has been granted bail by this Court *vide* order dated 24-07-2024, passed in Cr. Misc. No. 48628 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kamtaul P.S. Case No. 63 of 2024, subject to the following conditions:

- (I) One of the bailors shall be own/close member of the family of the petitioner.
- (II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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