

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19728 of 2025

Arising Out of PS. Case No.-231 Year-2021 Thana- BAHERI District- Darbhanga

Lal Babu Choudhary S/O Late Rajendra Prasad Choudhary Resident of
Nagarpalika Road Khagaria, Ward No.- 18, P.S.- Khagaria, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

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

ORAL ORDER

2 10-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Baheri
P.S. Case No. 231 of 2021 instituted for the offences under
Section 379 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
petitioner is of being involved in the theft of motorcycle of the
Informant. It is also alleged that Rs. 50,000/- was there in the
bike.

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. as the same was lodged



against the unknown. She further submits that nothing incriminating has been recovered from the conscious possession of the petitioner rather the alleged looted motorcycle was recovered from the co-accused Birju Paswan. The name of the petitioner has transpired in this case on the basis of the confessional statement of the co-accused Birju Paswan arrested in connection with Baheri P.S. Case No. 237 of 2021. The petitioner has no concern with the co-accused Birju Paswan. The petitioner has one criminal antecedent in which he is on bail and is languishing in judicial custody since 25.11.2024 without any rhymes or reason. Charge-sheet has been submitted in this case under Sections 379, 411, 34 of the I.P.C.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel for the State again submits that the prayer for bail of the co-accused namely Birju Paswan has already been rejected by a Co-ordinate Bench of this Court vide order dated 04.03.2025 passed in Cr. Misc. No. 82772 of 2024.

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 Baheri P.S. Case No. 231 of 2021.

(Rudra Prakash Mishra, J)

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