

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33380 of 2025

Arising Out of PS. Case No.-151 Year-2024 Thana- BARUN District- Aurangabad

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1. Chitranjan Das @ Chitranjan Kumar S/o Late Harisharan Das R/o vill - Bhopatpur, P.S.- Barun, Distt.- Aurangabad
 2. Bipin Malakar @ Vipin Malakar S/o Late Bharat Bhagat @ Bharath Malakar R/o vill - Bhopatpur, P.S.- Barun, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-05-2025 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Barun P.S. Case No. 151 of 2024 registered for the offences punishable under Sections 379, 506, 34 of the Indian Penal Code.

3. As per FIR, co-accused persons found seen by informant entering into the house of petitioner carrying stolen solar plate and its batteries which was installed in village at different places under *Panchayati Raj* scheme.

4. It is submitted by learned counsel appearing



on behalf of the petitioners that if version of petitioners be accepted on its face as true, then certainly solar panel battery must be recovered from the house of the petitioners but same was found in nearby drainage. It is submitted by learned counsel that out of local dispute and differences petitioners were implicated and moreover one Title Suit no. 134 of 2021 is pending between the parties. It is pointed out that petitioners were given benefit of Section 41(A) of Cr.P.C. during investigation where he fully cooperated with the police during investigation. While concluding arguments, it is submitted that petitioners are men of clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as recovery of stolen goods not appears *prima-facie* made from the possession of this petitioners where the benefit of Section 41(A) of Cr.P.C. was not appears misused during investigation coupled with the fact that petitioners are men of clean



antecedents, accordingly petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Aurangabad /concerned Court, where the case is pending in connection with Barun P.S. Case No. 151 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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