

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1049 of 2019

Arising Out of PS. Case No.-146 Year-2018 Thana- RAJAPAKAR District- Vaishali

Phudan Paswan, aged about 35 years, (Male), son of Late Baleshwar Paswan,
Resident of Village-Bakhari Supayan P.S.-Rajapakar, Dist.-Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rina Sinha, Adv.

For the Opposite Party/s : Mr.Md. Ansarul Haque (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 26-03-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Rajapakar P.S. Case No. 146 of 2018 registered for the
offences punishable under Sections 457 and 380 of the Indian
Penal Code.

Allegation against petitioner is theft of cash
ornaments and clothes from the house of the petitioner while
he was sleeping near his dalan. It has been further alleged that
on alarm co-villagers came there and saw one Samsung mobile
lying near the box. Informant suspected that the mobile belongs
to the thief.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been



falsely implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no criminal antecedent and is in custody since 05.09.2018.

Considering the fact that mobile which was found at the place of occurrence belongs to wife of petitioner, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, after completing one year of the custody, the petitioner would be at liberty to renew his prayer for grant of bail.

(S. Kumar, J)

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