

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62322 of 2019

Arising Out of PS. Case No.-148 Year-2019 Thana- RUPASPUR District- Patna

ADITYA KUMAR, Son of Mukesh Das, Resident of Lala Toli, Hansraj Ki Deohari, Police Station- Khajekala, Town and District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 22.06.2019 in a case registered for the offence punishable under Sections 457 and 380 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report of Ravi Prakash submitted before the Station House Officer, Rupaspur Police Station is to the effect that on 14.03.2019, the neighbour of the informant informed him that theft has been committed in his residential flat. Consequently, the informant reached at his flat and found that ornaments and cash amount of Rs.80,000/- has been stolen from there. It is further alleged that the theft was committed in two other flats also. Subsequently, the name of the petitioner sprang up during investigation when he was remanded in connection with other



cases.

It is submitted by learned counsel for the petitioner that neither there is any recovery from the conscious physical possession of the petitioner nor the petitioner has been put on Test Identification parade. It is further submitted that only on the basis of suspicion, the entire family members of the petitioner along with him, have been roped in the present case and within two months of lodging of the present case, the petitioner has been roped in eight other cases of similar nature registered against unknown. It is further submitted that the father of the petitioner Mukesh Das has been granted bail by a Co-ordinate Bench of this Court vide order dated 12.09.2019, passed in Criminal Miscellaneous No. 56929 of 2019 and the investigation has already been concluded.

Learned APP for the State submits that the name of the petitioner sprang up during investigation and he is having a series of criminal antecedent.

Considering the fact that no recovery has been made from the conscious physical possession of the petitioner nor the petitioner has been put on Test Identification parade, the investigation already being concluded and coupled with the fact that similarly situated co-accused, Mukesh Das has been



granted bail by a co-ordinate Bench of this Court, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Danapur in connection with Rupaspur P.S. Case No.148 of 2019.

(Dinesh Kumar Singh, J)

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