

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23415 of 2021

Arising Out of PS. Case No.-92 Year-2020 Thana- ROSHANGANJ District- Gaya

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AKASH KUMAR @ AKASH @ TOMAITO S/O RAJDEO MAHTO R/O
VILLAGE TILAIYA, P.S-ROSHANGANJ, DISTRICT-GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-11-2021 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding

in physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Rosanganj P.S. Case No. 92 of 2020 for the offence under

Sections 379 of the Indian Penal Code.

The case is of commission of theft of batteries from

the GTZ Tower.

Learned counsel appearing for the petitioner

submits that the petitioner is innocent and has falsely been

implicated in this case. In fact, the alleged occurrence took



place on 08.07.2020 whereas the F.I.R. has been lodged on 10.07.2020 after lapse of almost two days without explaining the plausible delay, which itself creates doubt over the prosecution version. More particularly, the petitioner has not been named in the F.I.R. and the entire prosecution is against unknown persons. The petitioner is rotting in custody since 16.06.2020.

Learned A.P.P for the State has opposed the prayer for bail the petitioner.

Considering the facts and circumstances of the case, 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 Judicial Magistrate-1st, Class, Sherghati, Gaya in connection with Roshanganj P.S. Case No. 92 of 2020.

(Rajesh Kumar Verma, J)

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