

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31021 of 2021

Arising Out of PS. Case No.-209 Year-2020 Thana- BUDDHACOLONY District- Patna

Chhotu Kumar @ Kaliya @ Vicky S/o- Late Om Prakash mahto R/o Village-
Patna City, Noon Ka Chauraha, P.S.- Khajekala, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Kumar, Adv
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-12-2021 Heard.

The petitioner seeks regular bail in connection with
Budha Colony P.S. Case No. 209 of 2020 for the offence
punishable under Sections 457/380 of the Indian Penal Code.

The allegation is regarding theft having been
committed in the house of the informant and jewelry etc. were
stolen therefrom.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and is languishing in custody since 17.12.2020. The
learned counsel for the petitioner has further submitted that till
date neither any test identification parade has been conducted
nor any stolen articles have been recovered from the petitioner
so as to connect the petitioner with the alleged crime.



Per contra, Ms. Anita Kumari Singh, the learned APP appearing for the State has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that neither test identification parade has been held till date nor any stolen articles have been recovered from the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioners, above named, are directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Patna in connection with Budha Colony P.S. Case No. 209 of 2020.

(Mohit Kumar Shah, J)

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