

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5981 of 2021

Arising Out of PS. Case No.-154 Year-2020 Thana- SUPPI District- Sitamarhi

MD. ARMAN Son of Md. Tajuddin Resident of Village- Mehsaul Purvi Ward
No. - 5, P.S.- Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Hans Lal Kumar, Adv. Mr.Pushpendra Kumar Singh, Adv.
For the Opposite Party/s :		Mr.H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 21-10-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner seeks bail in connection with Suppi P.S. Case No.154 of 2020, registered for the offence punishable under Sections 457 and 380 of the Indian Penal Code.

The prosecution case in short is that theft has been committed in the house of the petitioner and valuable gold, silver articles, cloths, cash and four mobiles with Sims have been stolen.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. The prosecution case is totally false, frivolous and concocted and the petitioner has been falsely implicated in this case with malicious intention at the hands of his enemy in collusion with the police.



Petitioner is not named in the FIR nor apprehended on the spot. No incriminating article has been recovered from the conscious physical possession of the petitioner. During investigation, on the basis of CDR, the I.O. learnt that the stolen mobile is being used by on Abdul Rahim, from whose possession the stolen mobile has been recovered but he stated before the police that he has purchased the same from the petitioner. The petitioner has no criminal antecedent, as mentioned in para-3 of the bail application as well as in the Case Diary but it has been wrongly mentioned in the impugned order that petitioner has criminal antecedent. He has been languishing in custody since 30.08.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi, in connection with Suppi P.S. Case No.154 of 2020.

(Anjani Kumar Sharan, J)

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