

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9861 of 2022

Arising Out of PS. Case No.-577 Year-2021 Thana- DIGHA District- Patna

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GOLU KUMAR @ AKASH KUMAR Son of Dharmendra Patel @
Dharmendra Kumar Resident of Village - Balwa Kuari, P.S.- Sadar, Distt.-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Digha
P.S. Case No. 577 of 2021 registered for the offence under
Section 379 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 06.10.2021.

The allegation against the petitioner is of theft in the
rented house of the deceased/husband of the informant and
while committing so, taken away mobile, cash of Rs. 3,000/-
and golden jewelry, etc. of the informant, kept thereof along



with other co-accused persons.

Learned counsel appearing on behalf of the petitioner submitted that mere on the basis of suspicion as the petitioner was room partner of deceased in rented house, the present false case has been lodged. It has further been submitted that petitioner is a man of clean antecedent and nothing has been recovered from the conscious physical possession of the petitioner. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that the petitioner was room partner of the deceased / husband of the informant.

Considering the facts and circumstances as mentioned above, as admittedly, the petitioner was room partner in the rented house of the deceased, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Digha P.S. Case No. 577 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Sub-Divisional Judicial Magistrate,
Patna, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Dharmendra Patel @ Dharmendra Kumar, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S.Sen/-

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