

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13135 of 2022

Arising Out of PS. Case No.-355 Year-2020 Thana- Sadar District- Purnia

Md. Mubarak Son Of Md. Mustafa Khan @ Md. Mustak R/O Village- Hansda
Ward No.-39 Gulabbagh, P.S.- Sadar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 23-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sadar P.S. Case No. 355 of 2020 lodged under Sections 457 and
380 of the I.P.C.

As per the prosecution case, the allegation in the
F.I.R. is against the unknown persons that theft have been
committed by breaking lock of a shop by which theft of Rs.
20,000/- and other precious materials were made.

Learned counsel for the petitioner further submits that
petitioner is innocent and has committed no offence. The present
petitioner has been remanded in this case. He submits that

recovery of mobile which was subject to theft alleged to be recovered from the petitioner’s possession. Learned counsel further submits that petitioner is in custody since 25.08.2021 in which charge sheet has been filed. On the point of his criminal antecedent, learned counsel submits that he was accused only in one case in which he has taken bail. In the present case, he was remanded by the police.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present but he is at liberty to move for bail after framing of charge and trial court shall release him on bail thereafter, putting his own conditions with a view to secure the trial.

(Dr. Anshuman, J)

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