

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42283 of 2021

Arising Out of PS. Case No.-762 Year-2020 Thana- DANAPUR District- Patna

RAMA SHANKAR KUMAR @ LOTHAN Son of Late Nawal Kishore Kumar
@ Late Nawal Kishore Rabani Resident of Village - Chai Tola, P.S.- Danapur,
Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Adv.

For the Opposite Party/s : Ms.Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-01-2022 Heard.

The petitioner seeks regular bail in connection with Danapur P.S. Case No. 762 of 2020, registered for the offence punishable under Sections 457, 380 and 411 of the Indian Penal Code.

The allegation is regarding the theft having been committed in the house of the informant and one mobile phone as also one iPad were stolen which are alleged to have been recovered from the room of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 29.12.2020. The learned counsel for the petitioner has submitted that the petitioner was apprehended on account



of mistaken identity, where-after the stolen mobile phone and iPad were planted in the room of the petitioner.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular bail.

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 period of incarceration of the petitioner herein, apart from the fact that he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Danapur in connection with Danapur P.S. Case No. 762 of 2020.

(Mohit Kumar Shah, J)

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