

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48347 of 2021

Arising Out of PS. Case No.-368 Year-2021 Thana- SUPAUL District- Supaul

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1. Md. Istakhar S/o Vijay Miya @ Hajrat Miya R/o village- Ramnagar, P.S.- Pipra, District- Supaul
 2. Md. Istak S/o Vijay Miya @ Hajrat Miya R/o village- Ramnagar, P.S.- Pipra, District- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 461 and 379 of the Indian Penal Code.

As per the prosecution case, the informant discovered the lock of the shutter of his shop having been broken and goods worth Rs. 9 lacs missing.

It is submitted by learned counsel for the petitioners that the FIR was registered against unknown. Referring to the order of the learned trial Court rejecting the application for bail of the petitioner, it is submitted that the prosecution is relying on



the confessional statement of the petitioner no. 1 made before police which is inadmissible. Referring to the order it is further submitted that the alleged recovery is from the co-accused Arvind Kumar, Avinash Kumar and Sanjay Kumar. The said Sanjay Kumar has himself been enlarged on bail. The petitioners are in custody since 3.6.2021 and have no criminal antecedent. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioners having remained in custody for more than 8 months, the Court directs the above two petitioners to be enlarged on bail in connection with Supaul P.S. Case no. 368 of 2021 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Supaul.

(Partha Sarthy, J)

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