

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58024 of 2021

Arising Out of PS. Case No.-118 Year-2021 Thana- NAWANAGAR District- Buxar

1. MANOJ DOM S/O ASHOK DOM R/o village- Chhotki Sasaram, P.S.- Gajrajganj, District- Bhojpur
2. Lal Babu Dom S/o Bikhari Dom R/o village- Chhotki Sasaram, P.S.- Gajrajganj, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioner and Mr. Satya Nand Shukla learned A.P.P. for the State.

The petitioners seek bail in connection with Nawanagar P.S. Case No. 118 of 2021 instituted for the offences under Sections 461 and 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 15.06.2021, charge sheet has been submitted and have antecedent of five cases.

Learned counsel for the petitioners submits that from perusal of the antecedent, it would manifest that all the five cases are of identical nature. Learned counsel for the petitioners submits that the informant alleges that he came to his



showroom, Sawan Auto Mobile Agency, Nawanagar and found that the article of the showroom was in scattered condition and the locks of the locker and cash counter were broken, further out of 8 C.C.T.V. Cameras, wire of one C.C.T.V. Camera was torn and theft of two mobiles and Rs. 2, 70,000/- was committed by two unknown criminals seen in C.C.T.V. footage.

Learned counsel for the petitioners further submits that the First Information Report was against unknown, no incriminating article was recovered from the possession nor the petitioners were put on T.I. Parade. It is further submitted that though in the First Information Report, it is alleged that two unknown criminal were seen in C.C.T.V. footage but the petitioners merely because of their antecedent in cases of similar nature came to be falsely implicated without even identifying the petitioners with the C.C. T.V footage.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that petitioners are in custody since 15.06.2021, charge sheet submitted and no incriminating article was recovered from their possession nor the petitioners were put on T.I. Parade and the antecedents are of identical nature of theft, let the petitioners above named be released on



bail after framing of charge on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Nawanagar P.S. Case No. 118 of 2021. Petitioners shall be released after framing of charge

(Satyavrat Verma, J)

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