

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10217 of 2023

Arising Out of PS. Case No.-299 Year-2022 Thana- RAMKRISHNANAGAR District- Patna

Daman Nath @ Piyak Son of Ashok Mahto R/o- Khemnichak, P.S.- Ramkrishna
Nagar, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s	:	Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 02-05-2023 1. Let the defects, if any, pointed out by the office be removed within four weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.
2. Heard learned counsel for the petitioner and the learned APP for the State.
3. Petitioner seeks regular bail in connection with Ram Krishna Nagar P.S. Case No. 299 of 2022 dated 16.06.2022 registered for the offence punishable under Sections 380/34 of the Indian Penal Code.
4. The main submissions advanced by learned counsel for petitioner are that though the FIR has been lodged under Section 380 read with 34 of Indian Penal Code but the alleged offence of theft levelled in the FIR is completely false, infact some altercation took place in between accused persons and the

informant at informant's house and the petitioner and co-accused Sharvan Kumar are stated to have been caught at the spot of occurrence and the said co-accused Sharvan Kumar has been granted bail by a co-ordinate bench of this Court vide order passed in Cr. Misc. No. 58651 of 2022 and from the possession of this petitioner when he was caught at the spot, no theft article was recovered and against him the investigation has been completed. Further submissions are that the petitioner is very young person and has been languishing in jail since 17.06.2022.

5. Learned APP for the State has opposed the bail prayer of the petitioner.

6. Considering the above submissions and mainly the petitioner's custody period, privilege of bail having been granted to similarly situated co-accused Sharvan Kumar mentioned above and also the completion of investigation against the petitioner, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Ram Krishna Nagar P.S. Case No. 299 of 2022.

(Shailendra Singh, J)

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