

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9021 of 2023

Arising Out of PS. Case No.-188 Year-2022 Thana- KASIMBAZAR District- Munger

MD. RAJA, S/O MD. AFTAB, Resident of village- Gulzar Pokhar, P.S.- Kotwali,
Munger, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagdhar Prasad, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-04-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in connection with Kasim Bazar P.S. Case No. 188 of 2022 dated 17.07.2022 registered for the offences punishable u/s 379 of the Indian Penal Code.

As per the prosecution case, 7 to 8 miscreants holding country made pistols etc., are alleged to have committed theft in the house of the informant while the informant and other family members were sleeping in the house.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating articles has been recovered from the conscious



possession of the petitioner. He has further submitted that the said recovered mobile belonged to the petitioner. No T.I.P. has been conducted by the prosecution. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 20.04.2023 passed in Cr. Misc. No. 11000 of 2023. The petitioner is accused in three other criminal cases as stated in supplementary affidavit filed on behalf of the petitioner. The petitioner is in custody since 20.07.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the stolen mobile was recovered from the possession of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Munger in connection with Kasim Bazar P.S. Case No. 188 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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