

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11000 of 2023**

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

MD. MUNNA Son of Md. Safi Alam R/V- Kaura Maidan, P.S- Kasim Bazar,
Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Sah

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 20-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 379, 382 of the Indian Penal Code.

As per FIR, allegation against the petitioner along with co-accused persons is of committing theft in the house of informant while she was sleeping in her house with his husband and children.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case on the basis of suspicion. Neither the petitioner was arrested on spot nor any incriminating article has



been recovered from his conscious possession. The name of the petitioner has been transpired in this case on the basis of confession made by co-accused namely, Md. Faiz before the police which has got no evidentiary value in the eye of law. It is further submitted that the petitioner is languishing in judicial custody since 20.7.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kasim Bazar P.S. Case No. 188 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Munger.

(Sunil Kumar Panwar, J)

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