

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14317 of 2023

Arising Out of PS. Case No.-223 Year-2022 Thana- JHANJHARPUR District- Madhubani

INDRESH JHA @ INDRESH KUMAR JHA S/O Chandra Shekhar Jha R/O
VILLAGE- MAHARAIL, WARD NO.- 13, P.S.- RUDRAPUR, DISTRICT-
MADHUBANI (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanket, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Jhanjharpur P.S. Case no.223 of 2022 registered under sections 457 and 380 of the Indian Penal Code.

3. As per the prosecution case, the informant states that on entering the house of the owner, it transpired that the same had been burgled and various articles, details of which has been given in the F.I.R., were stolen.

4. Learned counsel for the petitioner submits that the F.I.R. was registered against unknown. The name of the



petitioner transpired in course of investigation when one of the independent witness claimed to have identified the petitioner as having seen him going inside the house. The petitioner herein was the driver of the owner of the house where the burglary took place. Learned counsel for the petitioner submits that the said independent witness has resiled from his evidence about having identified the petitioner. No incriminating article has been recovered from the petitioner's possession who is in custody since 15.11.2022 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the submissions made, the petitioner not being named in the F.I.R., the so called independent witness who is said to have taken the name of the petitioner who is the driver of the owner of the house subsequently resiling from the same, no incriminating article having been recovered from the petitioner's possession, his being in custody since 15.11.2022, chargesheet having been submitted in the case together with the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Jhanjharpur P.S. Case no.223 of 2022 on furnishing bail bond of



Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like
amount each to the satisfaction of the learned Additional Chief
Judicial Magistrate-I, Jhanjharpur, Madhubani.

(Partha Sarthy, J)

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