

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18131 of 2023**

Arising Out of PS. Case No.-383 Year-2022 Thana- KHAJANCHI HAT District- Purnia

CHANDAN KUMAR SON OF LATE ISHWAR PASWAN RESIDENT OF
VILLAGE - PROFESSOR COLONY, WARD NO.- 12, P.S. -
NAWGACHHIYA, DISTRICT - BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 16-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with K.Hat P.S. Case no. 383 of 2022 registered under sections 461 and 379 of the Indian Penal Code to which section 411 of the Indian Penal Code was added subsequently.

3. As per the prosecution case, the informant states that on returning to his shop in the morning, he found that a theft has been committed, the door/shutter of the shop had been broken, things have been thrown around and various articles as mentioned in the FIR including Rs. 2700/- was stolen.

4. Learned counsel for the petitioner submits that the FIR was registered against unknown. As would be evident from



the order of the learned court below rejecting the application for bail of the petitioner, the petitioner was falsely implicated in the case only on the allegation that some of the stolen goods were recovered from the possession of the petitioner and that the petitioner confessed to his crime before police. It is submitted that the allegations of recovery are false and so called confession has no evidentiary values. The cause of his false implication is his antecedent. He is in custody since 22.4.2022.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation, the contents of the order of the learned trial court, the petitioner being in custody for more than a year since 22.4.2022 and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with K.Hat P.S. Case no. 383 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 Chief Judicial Magistrate, Purnea.

(Partha Sarthy, J)

Spd/-

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