

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17459 of 2023**

Arising Out of PS. Case No.-169 Year-2022 Thana- ISHAKCHAK District- Bhagalpur

ROUSHAN KUMAR son of Laxman Sonkar Village- Kumhar Tola Kunhar  
Toli Ps- Ishakchak Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bijendra Kumar

For the Opposite Party/s : Mr.Md. Shakir Ahmad

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

2      12-05-2023                      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 section 379 of the Indian Penal Code.

As per F.I.R., the prosecution case relates to theft of a Toto vehicle which was parked near Viran Bhagat Kali Mandir. Thereafter, on the basis of CCTV footage, the petitioner was identified who stolen the said vehicle.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner has falsely been implicated in this case on the basis of CCTV footage which is not clear. Neither the petitioner was arrested on spot nor any incriminating article has been



recovered from his conscious possession. It is further submitted that it is a case of triable by court of Judicial Magistrate. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 7.9.2022.

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 Ishak Chak P.S. Case No. 169 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 J.M. 1<sup>st</sup> Class, Bhagalpur.

**(Sunil Kumar Panwar, J)**

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