

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23040 of 2023

Arising Out of PS. Case No.-382 Year-2022 Thana- RAGHOPUR District- Supaul

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Akash Kumar S/O Anish Kumar Mehra Resident of village- Simrahi Ward
No.- 11, P.S.- Raghobpur, District- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

02. Let the defect (s), if any, as pointed out by the
office be removed within a period of four weeks.

03. In the present case, the petitioner seeks bail in
connection with Raghobpur P.S. Case No. 382 of 2022 registered
on 07.10.2022 for the alleged offences under Sections 457 and
380 of the Indian Penal Code.

04. As per prosecution case, unknown thieves
committed theft in the house of the informant in the late night
and took away a number of electronic items, apart from watch,
cloths and cash of Rs.18,500/-.

05. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. The FIR has been registered after delay of two days after the occurrence took place, for which, there is no explanation. The name of petitioner came up on the basis of confessional statement of co-accused Dharmendra Kumar. The stolen TV was recovered from the house of petitioner, but it was not put to any Test Identification to establish that it was a stolen property. The petitioner is in custody since 10.01.2023 and charge-sheet has been submitted. The petitioner has got no criminal history.

06. Learned APP for the State opposes the prayer for bail submitting that the recovery of stolen TV has been made from the house of the petitioner.

07. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Birpur, in connection with Raghopur P.S. Case No. 382 of 2022 subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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