

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27492 of 2023**

Arising Out of PS. Case No.-81 Year-2023 Thana- KOTWALI District- Patna

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Dhiraj Kumar Son of Late Budhu Saw @ Nand Lal Saw R/V- Mainpura,  
Beside Ram Janki Mandir, PS- Patliputra Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

2      06-06-2023                      Let the defect(s), if any, be removed within two weeks  
from today.

Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Kotwali P.S. Case No. 81 of 2023 lodged under Sections 457  
and 380 of the I.P.C.

As per the prosecution case, the allegation of theft is  
there in the F.I.R. against the petitioner.

Learned counsel for the petitioner submits that the  
present F.I.R. has been filed against unknown accused persons.  
He submits that petitioner's name has figured in this case by  
virtue of confessional statement of one Prince Mishra. Counsel  
submits that petitioner is a shopkeeper and on the confessional  
statement of the co-accused, he has sold the goods in the shop of  
the petitioner, the name of petitioner has figured in this case.

Counsel further submits that petitioner is in custody

since 03.02.2023 having clean antecedent. Counsel submits that the accused person on whose confession, the name of petitioner has figured in this case has already been granted bail on 10.05.2023.

Learned counsel for the State opposes the prayer for bail and submits that the theft article has been recovered from the shop of the petitioner on the confessional statement of the co-accused

In the present facts and circumstances of this case and particularly, upon considering that the accused person who has actually committed theft and provided the article to the shop of the petitioner, has been granted bail, this Hon'ble Court is inclined to grant bail to the above named petitioner on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No. 81 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

prakashmani/-

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