

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33151 of 2023

Arising Out of PS. Case No.-447 Year-2022 Thana- NOKHA District- Rohtas

Kamlesh Paswan, Son of Late Sarju Paswan, Resident of village - Duaari, P.S.
- Karakat, Distt. - Rohtas at Sasaram

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The accused/petitioner seeks bail in connection
with Nokha P.S. Case No.447 2022 registered for the offences
punishable under Sections 457 and 380 read with 34 of the
Indian Penal Code.

The accused/petitioner named in the FIR and is in
custody since 23.11.2022.

Allegation against petitioner is to commit theft in
the house of informant along with other co-accused persons and
while committing so, taken away cash and golden ornaments
kept in a box.

It is submitted by learned counsel for the petitioner
that petitioner has been implicated falsely in this case as he



visited the village of informant in connection with a marriage negotiation and as and when alarm was raised regarding occurrence, being unknown person of the locality, he was implicated with present case. It is submitted that the arrest of petitioner was admittedly made by private person who, later on, handed over him to police. It is submitted that no alleged stolen cash or ornaments were recovered from the possession of petitioner. While concluding argument, it is submitted that petitioner found involved in one more criminal case, where he is on bail and moreover investigation of this case has been completed for which charge-sheet has been submitted and, as such, there is no chances of tampering with the evidence.

Learned APP opposes the prayer for bail.

In view of the above-mentioned facts and circumstances, as arrest of petitioner was made by private person, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 23.11.2022, accordingly, the petitioner above-named is directed to be released on bail 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, Rohtas at Sasaram in connection with Nokha P.S. Case



No.447 of 2022, subject to the conditions as laid down under
Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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