

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38112 of 2023

Arising Out of PS. Case No.-111 Year-2023 Thana- SHASTRINAGAR District- Patna

APRAJIT KUMAR @ BITU Son of Suman Kumar Singh Resident of village
- Lakhi Sarai, Dariyapur Tola, P.S. - Town, Distt. - Lakhi Sarai. At present
Ram Nagri Road, (on rent), P.S. - Rajeev Nagar, Distt. - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Priyedarshi

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-07-2023 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 sections, 457, 380
and 411 of the Indian Penal Code.

As per allegation in the FIR, a theft has been
committed on 29.1.2023 in the informant's flat while he went to
his house on 27.1.2023. Information was provided by the
Security Guard of flat to the informant and then he came to
Patna and lodged an FIR with list of theft articles. On the basis
of confessional statement of co-accused Arman @ Tuiyan,
petitioner was arrested and an amount of Rs. 3,93,500/- has
been recovered from his house.



It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Neither the petitioner is named in the FIR nor he has been put on TIP. His name surfaced in the present case on the basis of confessional statement of co-accused Arman before the police, which has no evidentiary value in the eye of law. There is no eye witness of the alleged occurrence. Allegedly, an amount of Rs. 3,93,500/- has been recovered from the house of the petitioner but in this regard it is submitted that the same amount was brought by his father after mortgaging of the land in his village for the purpose of marriage of petitioner's sister. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 20.02.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge IX-cum-ACJM-IX, Patna in connection with Shashtri



Nagar P.S. Case No. 111 of 2023.

(Sunil Kumar Panwar, J)

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