

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39586 of 2023

Arising Out of PS. Case No.-738 Year-2021 Thana- MADHAURAH District- Saran

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DHARMENDRA NUT @ DHARMENDRA NAT CHAUKI LAL NUT
OLAHANPUR, PS- MARHOWRAH DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Bharat Lal

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in connection with S.Tr. No. 18/ 2023 arising out of Marhowrah P.S. Case No. 738 of 2021 dated 24.12.2021 registered for the offences punishable under Sections 395 and 412 of the Indian Penal Code.

As per the prosecution case, three unknown miscreants entered the house of the informant and broke the main door of informant's shop which was situated at his house



and looted Rs. 2 lacs in cash and clothes.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused Brij Kishore Kumar. The petitioner is accused in seven other criminal cases and he is on bail in four cases as stated in para 3 of the bail petition. The petitioner is in custody since 28.07.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran at Chapra in connection with S.Tr. No. 18/ 2023 arising out of Marhowrah P.S. Case No. 738 of 2021, with the condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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