

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41327 of 2023

Arising Out of PS. Case No.-567 Year-2022 Thana- NAUBATPUR District- Patna

Bhola Singh @ Bhola Yadav Son Of Lakshuman Singh Resident Of Village -
Nasriganj Sikariya, P.S. - Karakat, Distt. - Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra

For the Opposite Party/s : Mrs.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2.The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 379 of the
Indian Penal Code.

3. Prosecution case relates to commission of theft of a
Scorpio Car bearing Registration No. BR-01CB-0003 of the
informant when he parked his car outside the house.

4.Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. The petitioner is not named
in FIR rather his name came into light in this case on the basis
of suspicion. Nothing has been recovered from the conscious
possession of the petitioner. It is further submitted that the



stolen car was recovered from Sahar P.S. Case No. 207 of 2022 and the said car was matching with the stolen car in the present case i.e., Naubatpur P.S. Case No. 567 of 2022 and this petitioner is also accused in that case and he has already been granted bail by the different co-ordinate Bench of this Court vide order dated 14.07.2023 in Cr. Misc. No. 40681 of 2023 so the learned counsel for the petitioner submitted that one cannot be punished twice for the same offence. Moreover, the petitioner is languishing in judicial custody since 07.01.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Naubatpur P.S. Case No. 567 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 2nd, Danapur.

(Sunil Kumar Panwar, J)

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