

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41570 of 2023

Arising Out of PS. Case No.-357 Year-2022 Thana- BIHAR District- Nalanda

Chandan Kumar Son Of Krishna Prasad Resident Of Village- Emadpur, Ps-
Bihar, Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal Sr. Advocate
		Mr.Rabi Bhushan Prasad No. 1
For the Opposite Party/s :		Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 24-08-2023 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 461, 380 of the Indian Penal Code later on Section 457, 411, 413 of the IPC was also added.

As per prosecution case, the allegation against the unknown miscreants is that they after breaking lock of the informant's shop looted cash Rs. 60,000/-, and jewellery worth of Rs. 2,50,000/- and other valuable articles.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of



confessional statement of co-accused. Neither the petitioner is named in the FIR nor specific allegation of commission of theft levelled against him. It is further submitted that TIP has not been held properly and it was not confirmed that the recovered article is looted article or not. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 24.04.2023.

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

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 Bihar P.S. Case No. 357 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Nalanda at Bihar Sharif.

(Sunil Kumar Panwar, J)

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