

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52385 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- SHASTRINAGAR District- Patna

Suraj Kumar @ Mithu Son Of Dharmendra Prasad @ Dharmendra Kumar
R/O-Macchali Gali, Raja Bazar, P.O.-B.V. College, P.S.-SHASTRI Nagar,
Distt.-PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kr. Pandey, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-08-2023 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.

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

3. The petitioner has preferred this application for grant of regular bail in connection with Shastri Nagar P.S. Case No. 115 of 2023 dated 30.01.2023 registered for the offences punishable u/ss 413 and 414 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, on secret information the police personnel apprehended the petitioner and the co-accused persons who used to commit theft of motorcycles.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case.



The petitioner was not apprehended on the spot. The name of the petitioner has sprung up on the disclosure of the co-accused Md. Ali and Md. Azad. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 21.08.2023 passed in Cr. Misc. No. 43688 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 31.01.2023.

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

7. 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, Patna in connection with Shastri Nagar P.S. Case No. 115 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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