

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64226 of 2023**

Arising Out of PS. Case No.-119 Year-2023 Thana- MUFFASIL District- Aurangabad

Bhola Saw Son Of Bhagwan Saw Resident Of Village- Karma Bhagwan, Ps-  
Aurangabad Mufasil, Dist- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pramendra Kumar Singh

For the Opposite Party/s : Mr. Md. Fahimuddin

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**

ORAL ORDER

2      11-10-2023

Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Aurangabad Muffasil P.S. Case No. 119/2023, registered under Sections 457/380 of the Indian Penal Code.

3. As per prosecution case, the informant states that unknown accused persons committed theft in his house and took away various ornaments etc. as mentioned in the F.I.R. On the next day, the stolen articles were recovered in the agricultural land of Bhagwan Sao. The informant states that he is convinced that the two sons of Bhagwan Sao which includes the petitioner herein are involved in the commission of theft.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case on the vague and unsubstantiated suspicion raised by the informant. No



incriminating article was recovered from the possession of the petitioner. Referring to the order of learned trial court, learned counsel for the petitioner submits that the learned court below has based his order rejecting the petitioner's application for bail on the alleged confessional statement of co-accused made before the police naming the petitioner herein. The petitioner is in custody since 23.03.2023 and charge-sheet has been submitted in this case.

5. The prayer of the bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., no incriminating article having been recovered from the possession of the petitioner and the petitioner having clean antecedent, is directed to be enlarged on bail in connection with Aurangabad Muffasil P.S. Case No. 119/2023, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad.

**(Partha Sarthy, J)**

Ranjeet/-

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