

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65558 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- GAMAHARIYA District- Madhepura

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RUPESH KUMAR S/o- RAJ KUMAR YADAV Village- Piprahi W.NO-3, Ps-
Gamhariya Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Durgesh Kumar

For the Opposite Party/s : Mr.Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2023 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. As per FIR, the allegation against the FIR named accused persons is that they took away three loudspeakers from the house of the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to previous dispute. He has no concern with the alleged occurrence. Neither the informant was an eye



witness of the alleged occurrence any looted article has been recovered from the conscious possession of the petitioner. The petitioner is languishing in judicial custody since 14.03.2023. This case is triable by Judicial Magistrate.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gamhariya P.S. Case No. 21 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 ACJM-III, Madhepura.

(Sunil Kumar Panwar, J)

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