

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65237 of 2023

Arising Out of PS. Case No.-224 Year-2023 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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1. Kamlesh Bind Son Of Kapurchand Bind Village- Badkagaon Ps- Belaon Dist- Kaimur At Bhabua
 2. Dhiraj Prasad Bind Son Of Nathuni Bind Village- Badkagaon Ps- Belaon Dist- Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 380, 457, 411 and 34 of the Indian Penal Code.

3. Allegation against the petitioners along with other co-accused person is that they entered in the house of the informant for commission of theft but somehow the informant woke up and saw that all three accused persons were fleeing from his house but all of them were apprehended by the informant along with his family members. Thereafter, from the possession of co-accused person, one silver Paijani weighing



about 150 grams recovered.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. It is further submitted from para-8 of this petition that the allegation of committing theft is totally false and concocted. In fact a scuffle took place with regard to irrigating field of paddy crops and informant and his supporter who are musclemen have caught the petitioners and handed over to the police and make a concocted story. Nothing consistent material has come against the petitioners to implicate in this alleged offence. Both of them have no criminal antecedent and they are languishing in judicial custody since 29.07.2023.

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 petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Bhagwanpur (Belaon) P.S. Case No 224 of 2023 on furnishing bail bond of Rs.10,000/-



(ten thousand) on each of them with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Kaimur at Bhabua.

(Sunil Kumar Panwar, J)

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