

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61245 of 2022

Arising Out of PS. Case No.-205 Year-2021 Thana- MANSI District- Khagaria

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DINESH RAM Son of Nand Kishore Ram Resident of village - Mahinath
Nagar, P.S.- Beldaur, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-02-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Mansi P.S. Case No. 205 of 2021, Session Case No. 308 of 2021 registered for the offences punishable under Section 392 of the Indian Penal Code. Later on Sections 395 and 412 of the Indian Penal Code were added to the set of allegations.

It has been alleged that in the night of 18.07.2021, four unknown persons had entered the house of the informant and had stolen 800 grams of silver, 110 grams of gold ornaments and cash amount of Rs. 25,000/-.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 23.10.2021. It is further submitted by the learned counsel for the petitioner that the petitioner is an accused in two other cases but he is on bail in one of them. It is also submitted that no Test Identification Parade has been held till date so as to connect the petitioner with the alleged crime nor any recovery of stolen articles have been made from the possession of the petitioner. Lastly, it is submitted that the name of the petitioner has transpired in the present case upon the confessional statement made by the co-accused person, namely, Saroj Kumar, who has already been granted bail by a Co-ordinate Bench of this Court vide order dated 19.04.2022, passed in Criminal Miscellaneous No. 64749 of 2021.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the



submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that neither any Test Identification Parade has been held so as to connect the petitioner with the alleged crime nor any stolen articles have been recovered from the possession of the petitioner, apart from the fact that similarly situated co-accused person has already been granted the privilege of bail by a Co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-8th, Khagaria in connection with Mansi P.S. Case No. 205 of 2021, Session Case No. 308 of 2021.

(Mohit Kumar Shah, J)

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