

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72563 of 2023

Arising Out of PS. Case No.-759 Year-2023 Thana- PHULWARISHARIF District- Patna

RAHIM ALAM SON OF KHURSHID ALAM R/O VILLAGE- NAUSA,
PHULWARI SHARIF, P.S.- PHULWARI SHARIF, DIST.- PATNA (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shadab Akhter
For the Opposite Party/s	:	Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-11-2023 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 sections 379, 411, 34 of the Indian Penal Code.

3. As per prosecution case, co-accused Kasmuddin is alleged to have been caught with a stolen purse and a mobile phone thereafter he was handed over to the police, who disclosed the name of the petitioner as one of his associates.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of suspicion. No TI Parade was conducted the concerned police even after knowing the name of the accused. It is also submitted that this



case is triable by court of Judicial Magistrate. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 7.11.2023 passed in Cr. Misc. No. 70481 of 2023. Petitioner is languishing in judicial custody since 26.5.2023.

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 petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Phulwari Sharif P.S. Case No. 759 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 Sub-Judge XIV-cum-A.C.J.M., XVI, Patna.

(Sunil Kumar Panwar, J)

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