

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72410 of 2023

Arising Out of PS. Case No.-155 Year-2023 Thana- ISLAMPUR District- Nalanda

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Dipak Kumar S/O Arvind Prasad @ Arvind Yadav Village- Badai Chak, Ps.
Islampur, Dist. Nalanda

... .. Petitioner/s

Versus

The state of bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.582 of 2023 (arising out of Islampur P.S. Case no.155 of 2023) registered under section 392 of the Indian Penal Code in which sections 395 and 412 of the Indian Penal Code were added subsequently.

3. As per the prosecution case, four accused person on two motorcycles are said to have overtaken the informant and of having looted him of his motorcycle and mobile phone.

4. Learned counsel for the petitioner submits that the F.I.R was registered against unknown. The name of the petitioner transpired in course of investigation when the stolen mobile phone was allegedly recovered from his possession. No incriminating article has been recovered from the petitioner's



possession who has been falsely implicated in the case. He is in custody since 1.4.2023 and charge-sheet was submitted without putting him on T.I parade. Learned counsel further submits the trial has proceeded and Sessions Trial no.582 of 2023 is pending in the learned trial Court. He undertakes to cooperate in the trial.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation as is evident from the order of the learned trial Court rejecting the application for bail of the petitioner, charge-sheet having been submitted in the case and the trial (Sessions Trial no.582 of 2023) having proceeded in the case, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no.582 of 2023 (arising out of Islampur P.S. Case no.155 of 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 Additional Sessions Judge III, Hilsa, Nalanda.

(Partha Sarthy, J)

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