

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74283 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- NARAINPUR District- Bhojpur

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GOLU SHARMA @ BABA Son of Raj Nandan Sharma Resident of Village -
Narvirpur, Police Station - Chandi in the district of Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Narayanpur P.S. Case No. 74 of 2023 registered on 28.07.2023 for the alleged offences under Section 379 of the Indian Penal Code.

3. As per prosecution case, two unknown miscreants committed theft of Mahindra Pick-up vehicle of the informant. The name of the petitioner surfaced in the investigation as one of the thieves.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been implicated in this case merely on the basis of suspicion. Allegedly he confessed his crime but the petitioner categorically denies the same. Nothing



incriminating has been recovered from the conscious possession of the petitioner who was not put to any test identification parade though it is placed in the F.I.R. that the image of two persons were captured on the CCTV. Thus, except for suspicion there is nothing against the petitioner. Petitioner is in custody since 05.08.2023 and charge-sheet has been submitted. Petitioner has got no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and also considering the clean antecedent and his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Bhojpur at Ara in connection with Narayanpur P.S. Case No. 74 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Adnan/-

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