

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75594 of 2023

Arising Out of PS. Case No.-109 Year-2023 Thana- PUPRI District- Sitamarhi

CHHOTU SAH son of Dinesh Sah R/o- Singhia Ward No-6, Ps- Vibhutipur
Dist- Samastipur At Present- Shantu Nagar Ps- Madhubani Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Anand

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-11-2023 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 457, 380 of the Indian Penal Code.

3. As per prosecution case, some miscreants are said to have theft the golden ornaments of Idol Durga Maa from Durga Temple situated at Station Chowk, Purpri.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He is not named in the FIR. His name was transpired in this case on the basis of cofessional statement of co-accused Mera @Annu before the police. It is further submitted that the confession before police is not admissible in the eye of law. Nothing has



been recovered from conscious possession of the petitioner. It is case of triable by Court of Judicial Magistrate. It is further submitted that the petitioner is languishing in judicial custody since 15.3.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that some stolen material was recovered from rented house of the petitioner.

6. 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 **after framing of charge, if not framed** in connection with Pupri P.S. Case No. 109 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 S.D.J.M., Pupri, District- Sitamarhi.

(Sunil Kumar Panwar, J)

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