

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78727 of 2023

Arising Out of PS. Case No.-579 Year-2023 Thana- GARDANIBAG District- Patna

GANESH SAW Son of Late Shyam Saw R/o vill - Sampatchak Bazar, P.S. -
Gopalpur, Dist. - Patna

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Gardanibagh P.S. case
No. 579 of 2023 instituted for the offences under Section 379 of
the Indian Penal Code.

3. Prosecution allegation, in short, is that a theft of
plywood was committed by the unknown accused persons in the
godown of the informant.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 25.08.2023 and has no criminal
antecedent. Charge-sheet has been submitted in this case. The
petitioner has falsely been implicated in the present case. The
petitioner is not named in the F.I.R. The name of the petitioner



has transpired on the basis of confessional of co-accused namely Bhim Nath. The said recovery is made from the possession of co-accused Bhim Nath. No recovery is made from the conscious possession of the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gardanibagh P.S. case No. 579 of 2023.

(Rudra Prakash Mishra, J)

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