

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4184 of 2024

Arising Out of PS. Case No.-76 Year-2023 Thana- KALYANPUR District- Samastipur

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DILKHUSH KUMAR SON OF MADAN RAI RESIDENT OF VILLAGE -
PURSOTTAMPUR TEDHAM, POLICE STATION - KHANPUR,
DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Sanjay, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 31-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Kalyanpur P.S. Case no.76 of 2023 registered under section 379 of the Indian Penal Code.

3. As per the prosecution case, the informant states that while he parked his motorcycle and went to attend the call of nature, on return, he found his motorcycle missing.

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 he was falsely implicated in the confessional statement of co-accused Suraj Kumar who has himself been enlarged on bail vide order



dated 7.12.2023 passed in Cr. Misc. no.79175 of 2023. The petitioner is in custody since 8.5.2023 and chargesheet has been submitted in the case. It is lastly submitted that contrary to the statement in the case diary, no incriminating article has been recovered from the possession of the petitioner.

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

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner, grant of bail to co-accused Suraj Kumar on whose confessional statement the name of the petitioner transpired, the petitioner being in custody for 8 months since 8.5.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Kalyanpur P.S. Case no.76 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 Judicial Magistrate 1st Class, Samastipur.

(Partha Sarthy, J)

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