

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11788 of 2024

Arising Out of PS. Case No.-138 Year-2023 Thana- PARBATTI District- Bhagalpur

Abhishek Kumar @ Abhishek Sharma S/O JANGALI SHARMA @
JANGAL SHARMA VILLAGE- NAYATOLA, PS.- NAUGACHIA, DISTT.-
BHAGALPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-02-2024

1. Heard the parties.

2. Petitioner seeks regular bail in connection with
Parbatta P.S. Case No. 138/ 2023 dated 21.07.2023 registered
for the offence(s) punishable under Section(s) 379 and 411 of
the Indian Penal Code.

3. The main submissions advanced by learned counsel
for the petitioner are that there is no material evidence against
the petitioner to connect him to the alleged crime of theft and he
was remanded in the present matter from Ismailpur P.S. case
No. 97/ 2023 and except petitioner's criminal antecedents, the
prosecution has not produced any material and the F.I.R. was
registered against unknown and as per seizure memo, the theft
vehicle is said to have been recovered from the premises of



Rangra (O.P.) P.S. which shows that prosecution has not produced any material to prove the recovery of the theft vehicle from the possession of this petitioner. Further submission is that though against the petitioner there is criminal antecedent of four cases but he has got bail in three cases.

4. Learned APP appearing for the State opposes the bail prayer and submits that there are several criminal antecedents against the petitioner.

5. In the facts and circumstances of the case and considering the above submissions and mainly the facts that prosecution is mainly relying upon the petitioner's criminal antecedents and as per seizure memo, stolen vehicle is said to have been recovered from the premises of Rangra (O.P.) P.S. and during the course of argument the prosecution has not showed to this court the recovery of theft vehicle being made from possession of this petitioner and also taking into account completion of investigation against this petitioner and his custody period, this court is inclined to accept his bail prayer. Accordingly, let the petitioner named-above be released on bail **after framing of charge** in connection with Parbatta P.S. Case No. 138 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the



satisfaction of the Court concerned.

(Shailendra Singh, J)

BKS/-

U		T	
---	--	---	--

