

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14261 of 2024

Arising Out of PS. Case No.-866 Year-2023 Thana- MADHEPURA District- Madhepura

SHASHI BHUSHAN KUMAR S/O SUNIL YADAV R/O VILLAGE-
ARRAHA, WARD NO. 8, P.S- SOUR BAZAR, DISTT.- SAHARSA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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

ORAL ORDER

2 07-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Madhepura P.S. case No. 866 of 2023 instituted for the offences
under Sections 379 and 461 of the Indian Penal Code.

3. Prosecution case, in short, is that unknown
miscreants have committed theft of articles worth Rs. 3,00,000/-
kept in the shop of the informant.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired on the basis of confessional statement of the co-
accused Raju Mukhiya. Learned counsel further submitted that



no incriminating article has been recovered from the conscious possession of the petitioner. The co-accused person, Raju Mukhiya has already been granted bail by a Coordinate Bench of this Court vide order dated 24.01.2024 passed in Cr. Misc. No. 1606 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.09.2023 and has four criminal antecedents.

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, claim based on parity as also 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 Madhepura P.S. case No. 866 of 2023.

(Rudra Prakash Mishra, J)

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