

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18520 of 2024

Arising Out of PS. Case No.-321 Year-2023 Thana- CHAUTHAM District- Khagaria

Kimat Tanti @ Kimat Kumar Son Of Chhedi Tanti Resident Of Village-
Tellounchh, Ps- Chutham, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Advocate

For the Opposite Party/s : Mr.Nityanand, APP

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

ORAL ORDER

2 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Choutham P.S. case No. 321 of 2023 instituted for the offences
under Sections 379 and 461 of the Indian Penal Code.

3. Prosecution case, in short, is that the informant
suspects that this petitioner along with other unknown persons
has stolen the six channel mixer of Stanger Company from his
godown.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case merely on the basis of suspicion. Learned counsel
further submitted that there is a delay of nine days in lodging the
FIR without plausible explanation, which in itself, raises doubt



over the prosecution story. Learned counsel further submitted that although one Six Channel Mixer has been recovered from the godown of the petitioner but the same belongs to the petitioner. Learned counsel further submitted that except suspicion, there is no material against this petitioner to ascertain his involvement in the said occurrence. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.10.2023 and has one criminal antecedent.

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 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 Choutham P.S. case No. 321 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

