

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21098 of 2024**

Arising Out of PS. Case No.-168 Year-2023 Thana- SINGHWARA District- Darbhanga

Manoj Kumar Son Of Suresh Thakur @ Suresh Sharma Resident Of Village-  
Nazipur (AKHARAGHAT), Ps- Ahiyapur, Distt- Muzuffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kedar Jha, Adv.

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      02-04-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
Singhwara P.S. Case No. 168 of 2023, lodged on 06.09.2023  
under Sections 328, 379 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged  
against four unknown accused persons against whom there is an  
allegation of theft has been made by the informant in the FIR.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. Counsel  
also submits that from the confessional statement of the co-  
accused, one mobile phone without sim card has been recovered  
from the possession of the petitioner which was subject to theft.  
Counsel further submits that according to the FIR, the date of



occurrence is 30.08.2023, whereas, the FIR was lodged on 06.09.2023 i.e. delay of about 7 days.

5. Learned counsel for the petitioner submits that the criminal antecedent of the petitioner is not clean and there is only one criminal case pending against him, but the said case has been filed on the later date from the filing of the present case. The petitioner is in custody since 13.01.2024 in the present case. Counsel further submits that the offence in which the case has been filed is of magisterial triable. Counsel also submits that the charge-sheet has already been submitted in this case.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that in the FIR, cause of delay has already been explained. Counsel also submits that mobile phone which was subject to theft has been recovered from the petitioner's possession by the confessional statement of the co-accused.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-



IV, Darbhanga in connection with Singhwara P.S. Case No. 168  
of 2023, subject to the conditions as laid down U/s 437(3)  
Cr.P.C.

**(Dr. Anshuman, J.)**

Divyansh/-

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