

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24125 of 2024**

Arising Out of PS. Case No.-165 Year-2023 Thana- HAYAGHAT District- Darbhanga

Kundan Kumar Das Son of Sri Dhorai Das @ Dhodai Das Resident of  
Village- Dhobopur Banshara, Police Station- Hayaghat, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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

ORAL ORDER

2      08-04-2024      Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with  
Hayaghat P.S. Case No. 165 of 2023 instituted for the offence  
under Sections 461 & 379 of the Indian Penal Code.

3.      As per the prosecution case, some unknown  
miscreants broke the shutter of the shop of the informant and  
looted Rs. 1,27,000/-, Samsung phone, golden *hanumani*, silver  
coin and ring worth Rs. 2,00,000/-.

4.      It has been submitted on behalf of the petitioner  
that the petitioner is in custody since 24-10-2023. Petitioner is  
stated to be man of clean antecedent.

5.      It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired during course of investigation on the basis of CCTV footage. No incriminating article has been recovered from the possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C. It is lastly submitted that charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Hayaghat P.S. Case No. 165 of 2023.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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