

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26388 of 2024**

Arising Out of PS. Case No.-582 Year-2023 Thana- BAKHTIYARPUR District- Patna

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Rajeev Kumar Son of Bablu Kumar @ Bablu Ram Resident of Village-
Varuntar, P.S.- Harnaut, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

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**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
Bakhtiyarpur P.S. case No. 582 of 2023 instituted for the
offences under Section 457, 380 of the Indian Penal Code.

3. Prosecution case, in short, is that an unknown
miscreant entered the house of the informant and stole one
mobile phone alongwith cash amounting to Rs. 21,000/-.

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. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of self-confessional statement. No incriminating/looted article has been recovered from the conscious possession of the petitioner rather the stolen mobile phone has been recovered from Balaji Mobile Shop, Bakhtiyarpur Bazar. Learned counsel further submitted that petitioner has got no concern with the stolen article. He further submitted that Section 380 of the Indian Penal Code is not made out against the petitioner because there is no recovery from possession of this petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.01.2024 and has no 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, clean antecedent 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 Bakhtiyarpur P.S.
case No. 582 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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