

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25746 of 2024

Arising Out of PS. Case No.-1205 Year-2023 Thana- KHAGARIA District- Khagaria

Md. Idrish @ Md. Edrish Son of Yakub Resident of Village- Shankarpur, P.S.-
Aurahi, Dist.- Muzaffarpur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh

For the Opposite Party/s : Ms.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 05-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khagaria P.S. Case No. 1205 of 2023 instituted for the offences
punishable under Sections 457 and 380 of the Indian Penal
Code.

3. As per prosecution case, some unknown miscreants
have committed theft of 100 hand-sets and Rs. 29,000/- from the
informant's shop.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the FIR and the same has been lodged
against unknown persons. The name of the petitioner has come
into light on the basis of confessional statement of co-accused



Lal Babu Mahto, which has got no evidentiary value in the eyes of law. No incriminating article has been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. Charge-sheet has been submitted in this case. The petitioner is in custody since 07.12.2023 and has no criminal antecedent.

5. Learned APP 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 well as 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 Khagaria P.S. Case No. 1205 of 2023.

(Rudra Prakash Mishra, J)

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