

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28353 of 2024

Arising Out of PS. Case No.-407 Year-2023 Thana- ATHMALGOLA District- Patna

Sandeep Kumar @ Dipu Kumar @ Dipu Son of Amrendra Kumar Singh @
Amarendra Singh Resident of Village- Bujruk, P.S.- Athamalgola, Dist.-
Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prince Kumar Mishra, Advocate

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

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

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Athmalgola P.S. case No. 407 of 2023 instituted for the
offences under Sections 379, 461, 411 of the Indian Penal Code.

3. Prosecution case, in short, is that some unknown
miscreant has committed theft of rice, pulses, oil and other
articles from the school of the informant.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
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
of the petitioner. He further submitted that the stolen goods have



been recovered from beneath the heap of straw from a room situated outside the house of the petitioner which is accessible to all. Learned counsel further submitted that petitioner has got no concern the stolen articles which were recovered. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.12.2023 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 Athmalgola P.S. case No. 407 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.



(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

