

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33363 of 2024

Arising Out of PS. Case No.-388 Year-2023 Thana- BHORE District- Gopalganj

Gena Bin, Son of Late Kapildev Bin, Resident of Village- Dih Bagahi, Police
Station- Kateya, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Advocate

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

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

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bhore
P.S. Case No. 388 of 2023 instituted for the offences under
Sections 457, 380 and 411 of the Indian Penal Code.

3. Prosecution case relates to commission of theft in
the house of the informant by the unknown miscreants and in
this incident, several ornaments, cash of Rs. 50,000/- and
mobile have been stolen from her house.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Petitioner is not named in the F.I.R. He has been remanded
in this case by the police from Bhore P.S. Case No. 424 of 2023



in which confessional statement of the petitioner was recorded before the police and after that stolen mobile has been recovered from his house. Nothing incriminating material has been recovered from his conscious possession. The police has not held the Test Identification Parade to the petitioner in this case to identify the actual accused. Charge-sheet has been submitted in this case. The petitioner is in judicial custody since 01.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayed for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail **after framing of charge, if not already framed** on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the Court below/concern Court in connection with Bhore P.S. Case No. 388 of 2023.

(Rudra Prakash Mishra, J)

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