

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33423 of 2024

Arising Out of PS. Case No.-64 Year-2023 Thana- MANIHARI District- Katihar

=====

Firoz Alam Son of Sheikh Momin @ Shekh Mokim Resident of Village-
Taranagar, P.S.- Kasba District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-05-2024 Heard Mr. Amarnath Jha, learned counsel appearing

on behalf of the petitioner and learned Additional Public

Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Manihari P.S. Case No. 64 of 2023, registered for the
offences punishable under Section 379 of the Indian Penal
Code.

3. Allegedly, when the informant reached to his field
he came to know that his pump set has been stolen by some
unknown thieves. Subsequently, he also came to know that
similar theft has also taken place in the fields of eight other
persons. On account of the aforementioned theft, the FIR has been
instituted.

4. Learned counsel for the petitioner contended that



the FIR has been instituted against unknown thieves and subsequently after one month of the institution of the FIR the police has apprehended co-accused Md. Alam from whose possession certain tools were recovered. Co-accused Md. Alam confessed the name of the petitioner and other persons. Save and except the confessional statement there is no material suggesting the complicity of the petitioner; is the submission of the learned counsel for the petitioner. It is also contended that even the seizure list does not depict that any stolen pump set has been recovered from the possession of co-accused Md. Alam. The petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding of the court.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that save and except the confessional statement there is no material suggesting the complicity of the petitioner, coupled with his fair antecedent, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this



order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Manihari P.S. Case No. 64 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

Anjani/-

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

