

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32795 of 2024

Arising Out of PS. Case No.-1094 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Bittu Alam @ Bittu Mian S/o Khush Mohammad R/o vill - Gobari, P.S. -
Banjariya, Distt. - East champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 26-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Turkauliya P.S. Case No. 1094 of 2023, lodged on 20.10.2023
under Sections 457, 380 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against one named and one unknown accused person against
whom there is an allegation of theft in the house of the
informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that petitioner is not named in the FIR. Counsel further
submits that the criminal antecedent of the petitioner is not clean



and there are two criminal cases pending against him. Counsel also submits that the petitioner is in custody since 13.02.2024. Counsel submits that one co-accused person has been granted bail by this Court *vide* order dated 07.02.2024 passed in Cr. Misc. No.5432 of 2024.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean and this aspect must be taken into consideration while considering the bail application of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 6th, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 1094 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J)

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