

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34057 of 2024**

Arising Out of PS. Case No.-8 Year-2024 Thana- DARBHANGA RAIL P.S. District-
Samastipur

Md. Ershad Ali @ Saheb Son of Shami Ahmad Resident of village- Bhigo
Jamalpura, Ward No. 31, P.S.- Laheriasarai, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy
For the Opposite Party/s : Mr.Surendra Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with GRP/D.B.J P.S. Case
No. 08 of 2024 dated 10.01.2024 registered for the offences
punishable under section 379 of the Indian Penal Code.

3. As per the prosecution case, while the informant
was traveling on train, an unknown thief stole the informant's
Samsung phone A13, with SIM No. 9504005939, from the right
pocket of paint of the informant.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. Nothing has been recovered from the conscious



possession of the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in this case on the basis of self confessional statement taken by the police under threat co-ercion. No TIP parade has been conducted against the petitioner. The petitioner has three criminal antecedents and in all cases he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 01.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with GRP/D.B.J P.S. Case No. 08 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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