

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34451 of 2024

Arising Out of PS. Case No.-142 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

Md. Asif Alam Son of Late Shamshul Alam Resident of Village - Belwa
Bhagat Tola, Ward No.- 1, Near Masjid, P.S.- Araria, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kaushlendra, Adv.

For the Opposite Party/s : Mr.Bharat Bhushan, APP

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

ORAL ORDER

2 14-05-2024 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 Kochadhaman P.S. Case No. 142 of 2023, G.R. No. 894/2023 dated 10.06.2023 registered for the offences punishable u/ss 461 and 379 of the Indian Penal Code.

3. As per the prosecution case, unknown miscreants are alleged to have committed theft in Panchayat Sarkar Bhawan and stolen two pieces of table fans, eight pieces of library chairs, two pieces of solar light with battery, one piece of Kent RO water purifier, three pieces of office's chair and a printer.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has surfaced in this case only on the basis of confessional statement made in other case i.e. Kasba P.S. Case No. 212/2023 of apprehended accused. No incriminating article has been recovered from the conscious possession of the petitioner. It is further alleged that the petitioner has no concern with the alleged offence. The petitioner has nine criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 16.10.2023.

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, Kishanganj, Bihar in connection with Kochadhaman P.S. Case No. 142 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date,



*failing which on two consecutive dates
without reasonable cause, the prosecution
will be at liberty to move for cancellation
of his bail bond.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

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