

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36331 of 2024**

Arising Out of PS. Case No.-24 Year-2024 Thana- MOKAMAH District- Patna

Suraj Kumar Singh @ Suraj Kumar Son of Rajendra Prasad Singh @
Rajendra Singh R/O Vill. and Post- Mor, P.S.- Mokama, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha, Advocate

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

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

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Mokama P.S. case No. 24 of 2024 instituted for the offences
under Sections 461, 379 of the Indian Penal Code and 25(1-b)a,
35 of the Arms Act.

3. Prosecution case, in short, is that some unknown
miscreants stolen 30 Kg. *Rasgulla*, 20 packet mixture, 10 Kg.
Peda and cash amounting to Rs. 2000/- from the shop of the
informant. It is further alleged that from the shop of Sujeet



Kumar 12 Kg. chicken and cash amounting to Rs. 1500/- was also stolen.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. Learned counsel further submitted that during investigation, one country-made *katta* and two live cartridges have been shown to be recovered from the house of the petitioner, however, no any stolen article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the stolen articles. Informant is not the eye-witness to the occurrence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.01.2024 and has two criminal antecedents but he is on bail in both the cases.

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

6. Considering the aforesaid facts and circumstances of the case, nature of offence as also the period of custody undergone by 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 bonds of



Rs.10,000/- (Ten thousand) with two sureties of the like amount
each to the satisfaction of Court below/concerned Court in
connection with Mokama P.S. case No. 24 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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