

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37422 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

Ram Preet Kumar Son of Bateshwar Verma Resident of Village - Ganjpar,
Police Station - Barbigha, District - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Sheikhopur Sarai P.S. Case No. 15 of 2024 instituted for

the offences under Sections 379, 411, 34 of the Indian

Penal Code.

3. As per prosecution case, the accusation against

the accused persons including the petitioner is of committing

theft of electric wire from the Power Grid situated at village

Onama, Sheikhpura. It is alleged that the petitioner was

apprehended on the spot and the stolen electric wire was

recovered from his possession.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to ulterior motive. He further submits that nothing incriminating has been recovered from the physical/conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 20.02.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner is named in the F.I.R. and the police has recovered stolen electric wire from the possession of the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the



petitioner and the petitioner having no criminal antecedent,
let the petitioner, abovenamed, 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 Sheikhopur Sarai
P.S. Case No. 15 of 2024.

(Rudra Prakash Mishra, J)

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