

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40639 of 2024

Arising Out of PS. Case No.-161 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

Md Firdos Alam @ Firdos @ Firdosh Alam son of Md Daud @ Daud resident
of Vill- Gaiyari, ward no - 05, P.S - Araria, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Ziaul Quamar, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

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

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kochadhaman P.S. Case No. 161 of 2023 instituted for the
offences under Sections 461, 379 of the Indian Penal Code.

3. Prosecution case, in short, is that some unknown
persons committed theft in the Utkramik Middle School and
two gas cylinders, sound box, bell, medical kit, kitchen articles
etc. were found to be 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. The name of the petitioner
transpired in this case on the basis of confessional statement of
the co-accused Meraj. No incriminating/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. The co-accused person has already been granted bail by this Bench vide order dated 07.05.2024 passed in Cr. Misc. No. 34362 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.10.2023 and has nine criminal antecedents.

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, claim based on parity 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 Kochadhaman P.S. Case No. 161 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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