

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40836 of 2024

Arising Out of PS. Case No.-159 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

Meraj @ Guddu @ Md Meraj s/o Md. Israil R/o Village-Manikpur, ward no.-
10, P.S.- Araria(Bairgachhi), District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Ziaul Quamar, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-06-2024 Heard learned counsel appearing on behalf of

the petitioner and learned APP appearing on behalf of

the State.

2. The petitioner seeks bail in connection with

Kochadhaman P.S. Case No. 159 of 2023 registered for

the offences under Sections 461 and 379 of the Indian

Penal Code.

3. The petitioner is not named in the F.I.R. and

is in custody since 16.10.2023.

4. The allegation against the petitioner is to

commit theft in Utkarmik Middle School, Titiha

Sundarbari, Kochadhaman distt. Kishanganj and while



committing so alongwith other co-accused persons taken away computers and other related items from the school.

5. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner appears in the present case on the basis of self-confession while he was apprehended in Kochadhaman P.S. Case No. 142 of 2023. It is submitted that in connection with the said confession no incriminating material recovered from the possession of this petitioner as to connect him, *prima facie*, with the present occurrence of theft. While concluding the argument it is submitted that as petitioner found involved in six more criminal cases of similar nature on the basis of suspicion arises of said antecedents he was also named with the present case, on the basis of self-confession. It is submitted that petitioner is on bail in all six cases and moreover investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no



chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above and by taking note of fact as nothing incriminating materials recovered, in furtherance of self-confession of the petitioner, which is the basis of implication of the petitioner in the present case, coupled with the fact as petitioner is in custody since 16.10.2023, where charge-sheet has already submitted, accordingly, petitioner, above named, is directed to be released on bail in connection with Kochadhaman P.S. Case No. 159 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C. with further conditions:-

(i) Accused/Petitioner shall



cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(Chandra Shekhar Jha, J.)

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