

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48440 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- KARPURIGRAM District- Samastipur

Gulshan Kumar @ Gulshan S/O SINGESHWAR PASWAN @
SIDHESHWAR PASWAN R/O VILLAGE- Balbhadrapur, WARD NO.3,
P.S.- MUFFASSIL, DIST- SAMASTIPUR, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey, Advocate

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

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

ORAL ORDER

4 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Karpurigram P.S. case
No. 15 of 2024 (GR No. 481 of 2024) instituted for the offences
under Sections 411, 461, 379 and 34 of the Indian Penal Code.

3. Prosecution allegation, in short, is that the petitioner
along with co-accused has committed theft in the shop of the
informant and taken six LED T.V., two fan heater, six sound
boxes, one mobile phone and also damaged the CCTV camera
installed there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has no concern with the stolen



articles. Charge-sheet has been submitted in this case. The goods recovered from the house of the petitioner don't match with the description of goods as alleged in the F.I.R. Learned counsel for the petitioner submits that petitioner earlier worked in the shop of the informant and got the relationship strained and due to that the petitioner has been implicated in this case. The petitioner has not been put on Test Identification Parade to ascertain his participation in the alleged occurrence. The petitioner is in custody since 15.02.2024 and has no criminal antecedent. Charge-sheet has been submitted in this case. Co-accused has been granted bail by this Bench vide order dated 20.04.2024 passed in Cr. Misc. No. 29538 of 2024 (Annexure-2).

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, clean antecedent, charge-sheet being submitted and 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 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 Karpurigram P.S.
case No. 15 of 2024 (GR No. 481 of 2024) subject to the
following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on two
consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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