

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45813 of 2024

Arising Out of PS. Case No.-172 Year-2023 Thana- KADWA District- Katihar

Md. Chunna @ Chunna @ Md. Ehrar Son Of Ghulam Husnain @ Hasnain
Village- Kanharia, P.S.- Dagarwa, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Najeeb Ahmad, Advocate

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

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

ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Kadwa P.S. Case No.
172 of 2023, instituted for the offences punishable under
Sections 379 and 461 of the Indian Penal Code.

3. The prosecution case, in short, is that, miscreants
looted laptop, fan, torch, mobile phone and cash of Rs. 15,000/-
the shop of the informant at night.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner



submits that the petitioner is not named in the F.I.R. Name of the petitioner has transpired on the basis of confessional statement of co-accused person which has no evidentiary value. No stolen articles have been recovered from the possession of the petitioner. The mobile and laptop which were recovered from the possession of the petitioner was seized in Kadwa P.S. Case No. 274 of 2023. The petitioner was remanded in this case on 13.12.2023 and has got two criminal antecedents in which he is on bail in one case.

5. Learned APP 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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kadwa P.S. Case No. 172 of 2023, 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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