

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48179 of 2024

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

Navin Kumar Yadav @ Navin K. Yadav son of Late Sohanlal Yadav Village-
Mahalgaon W.No-4, Ps- Mahalgaon 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. Sanjay Kumar Pandey, APP

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

ORAL ORDER

2 05-07-2024 Heard learned counsel for the petitioner and learned APP
for the State.

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

3. The 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 submits that the petitioner is innocent and has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner transpired in this case on the basis of confessional statement of co-accused, namely, Meraj @ Guddu @ Md Meraj. No incriminating material has been recovered from the conscious possession of the petitioner. It is submitted that petitioner has no concern with the stolen articles. The petitioner is in custody since 03-01-2024 and has got eight criminal antecedent.. Learned counsel for the petitioner further submits that co-accused has been granted bail by a Co-ordinate Bench of this Court *vide* orders dated 21-06-2024 & 21-06-2024 passed in Cr. Misc. No. 44183 of 2024 & Cr. Misc. No. 40639 of 2024, respectively.

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, claim based on parity 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, ***after framing of charge if not already framed***, 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 Kochadhaman PS Case No. 161 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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