

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49572 of 2024

Arising Out of PS. Case No.-124 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

Md Manowar Hasan @ Munawwar Hasan Son Of Md Hasan Village-
Koshkipur Ward No. 7, Ps- Araria (BAIRGACHHI), Dist- 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 : Mr. Upendra Kumar, APP

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

ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Kochadhaman P.S. Case
No. 124 of 2023, instituted for the offences punishable under
Sections 461 and 379 of the Indian Penal Code.

3. The prosecution case, in short, is that, there is
allegation against the petitioner is of being involved in theft of
19 sacks of rice.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner also submits that the petitioner is not named in the
FIR. Name of the petitioner has transpired on the basis of
confessional statement of co-accused Meraj in Kasba P.S. Case



No. 212 of 2023 which has no evidentiary value. No stolen article has been recovered from the conscious possession of the petitioner. No T.I. parade has been conducted in this case. The petitioner is in custody since 17.10.2023 and has got seven criminal antecedents in which the petitioner is on bail in two cases. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by this Court vide order dated 05.07.2024 passed in Cr. Misc. No. 47827 of 2024 and Cr. Misc. No. 47784 of 2024.

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, taking into account the period of custody undergone by the petitioner and claim based on parity, 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 Kochadhaman P.S. Case No. 124 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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