

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51708 of 2024

Arising Out of PS. Case No.-309 Year-2023 Thana- JOGAPATTI District- West Champaran

Hussain Mian @ Hasan Mian @ Hasnain Mian S/o Shalim Mian Resident of
Vill - Khardeur Mahna, P.S.- Chanpatia, Dist - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Yogapatti (Sanichari) P.S. Case No. 309 of 2023 dated 10.07.2023 registered for the offences punishable u/s 380 of the Indian Penal Code.

3. As per the prosecution case, some unknown miscreants are alleged to have committed theft of two silver anklets, a Samsung mobile phone and cash of Rs. 80,000/- from the house of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of confessional statement of the co-accused *Kamrudin Ansari*. There is general



and omnibus allegation against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has eleven antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 03.06.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran in connection with Yogapatti (Sanichari) P.S. Case No. 309 of 2023, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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