

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51933 of 2024

Arising Out of PS. Case No.-242 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Dhanna Khan @ Md. Mubarak @ Mubarak @ Md. Dhanna son of Late Md.
Nasim Village- Alam Chouk W.No-9, Ps- Mansur Chak Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Sinha

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Dalsingh Sarai P.S. Case No. 242/2023 lodged on 09.06.2023
under Section 457/411/380 of the Indian Penal Code.

3. As per the prosecution case, F.I.R. has been lodged
against four named accused persons including the present
petitioner to whom there is an allegation that they have
committed theft. One of the accused persons have been
apprehended from the place of occurrence and had disclosed the
name of all the accused persons on the basis of which F.I.R. has
been lodged.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel



also submits that that the name of the petitioner has been figured in this case only by virtue of confessional statement of the accused. Counsel further submits that the criminal antecedent of the petitioner is not clean and there are two cases pending against him in which he is on bail. The petitioner is in custody since 06.11.2023. Counsel further submits that other accused persons have been granted bail vide order dated 18.09.2023 passed in Cr. Misc. No. 61953 of 2023 and vide order dated 30.08.2023 passed in Cr. Misc. No. 56162 of 2023.

5. Learned APP for the State opposes the prayer for bail and submits that in the F.I.R., the entire *modus operandi* has been narrated that how theft has been committed and the theft material has been recovered from the possession of the accused namely Raja Kumar. Counsel also submits that those accused persons to whom this Court has granted bail are not involved in commission of crime rather they were the associates/protector of the accused persons who were directly involved in the commission of the crime.

6. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. As such, the bail application of the petitioner is hereby rejected.



7. The trial Court is directed to conclude the trial.

(Dr. Anshuman, J)

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