

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51255 of 2024**

Arising Out of PS. Case No.-29 Year-2024 Thana- POTHIYA District- Kishanganj

Noor Alam Son of Late Najamudin @ Najamudin @ Late Md. Naijimuddin
R/O Vill.- Jagdubba, P.s.- Pothiya, Dist.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate
For the Opposite Party/s : Mr. Binod 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 connection with Pothia
P.S. Case No. 29 of 2024 instituted for the offence under
Sections 457, 380, 461, 436 of the Indian Penal Code. Later on
Section 411 of the IPC was added.

3. The prosecution case in brief is that on 02-02-2024,
at approximately 7 P.M. some unknown thieves broke the lock
of the informant's office situated in the tea garden at his private
land and took away 170 pieces of spring rod, and electric metre.
They also set fire due to which the plastic pipe worth 30,000/-
got burnt. The informant also suspects that on 28-12-2023
transformer coil was stolen from the aforesaid tea garden and



the same was stolen by the said unknown thieves.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21-02-2024. Petitioner bears six criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Fajlu Rahman. Police after investigation has submitted charge sheet in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. Other co-accused has been granted bail by this Court vide order dated 02-05-2024, passed in Cr. Misc. No. 33863 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with



two sureties of the like amount each to the satisfaction of
Court below/concerned Court in connection with Pothia P.S.
Case No. 29 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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