

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54007 of 2024**

Arising Out of PS. Case No.-164 Year-2024 Thana- BAHADURGANJ District- Kishanganj

Ajmal, S/o Mohiuddin, R/o Village-Foolban, Tulsia, PS- Bahadurganj,  
District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

3      25-09-2024                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody in connection with Bahadurganj P.S. Case No. 164 of 2024 registered for the offences punishable under Sections 461 and 379 of the Indian Penal Code.

3. The allegation against the petitioner is of causing theft in the shop of the informant. The value of the material has been assessed to the tune of Rs. 2,20,000/-.

4. Learned counsel for the petitioner contended that the petitioner has been made accused on the basis of CCTV footage, however, the mode and manner of theft has not been disclosed as to how such a huge quantity of spices were taken away by the petitioner. It is further contended that the petitioner



is neighbouring shopkeeper of the informant and only on account of some previous enmity, the name of the petitioner has been implicated in this case. The spices which are allegedly said to have been stolen, are exclusively owned by the petitioner, but only in order to wreak vengeance, the present case is instituted. Be that as it may, the petitioner is in custody since 07.06.2024 and now the investigation of the crime is complete and the charge-sheet has been submitted.

5. Learned counsel for the State vehemently opposed the bail application and submitted that apart from criminal antecedent of the petitioner in identical nature of crime, the stolen articles were recovered from the house of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the crime in question is triable by the Magistrate; moreover after completion of investigation, the charge-sheet has been submitted, let the petitioner, named above, 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 learned Chief Judicial Magistrate, Kishanganj in connection with Bahadurganj P.S. Case No. 164 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further



conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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