

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55449 of 2024

Arising Out of PS. Case No.-325 Year-2023 Thana- SOHSARAI District- Nalanda

Md. Saif @ Lallu Son of Md. Jamal Resident of village - Nim Dargah Gali,
Panchayati Akhara, P.S.- Kotwali, District - Gaya. At present resident of
village - Chhajju Mohalla, P.S.- Bihar, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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

ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Soh
Sarai P.S. Case No. 325 of 2023 instituted for the offence under
Sections 457 & 380 of the Indian Penal Code and Sections
25(1-B)A & 26 of the Arms Act.

3. Prosecution case in short is that when the informant
was gone with his family to native village for attending chhath
pooja, theft was committed in the house of the informant and
cash of Rs. 64,000/- and jewellery worth Rs. 35-40 lakhs were
stolen away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 29-04-2024. Petitioner



bears nine 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 his self confessional statement. Petitioner was not put on TI Parade. Nothing incriminating has been recovered from the possession of the petitioner. It is lastly submitted that charge sheet has already been submitted in this case.

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 Soh Sarai P.S. Case No. 325 of 2023, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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