

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58584 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

Md Manowar Hasan @ Munawwar Hasan S/O Md Hasan R/O Village-
Koshkipur Ward No.-07, P.S- Araria (bairgachhi), Distt- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Ziaul Quamar, Adv.

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kochadhaman P.S. Case No. 136 of 2023 dated 05.06.2023,
lodged under Sections 379, 461 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against unknown accused persons against whom there is an
allegation that they have committed theft in panchayat
government building and stolen some items like inverter,
printer, hard drive, biometric machine, important documents etc.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that petitioner is not named in the FIR and his
name has been figured in this case only by virtue of the



confessional statement of the co-accused. Counsel further submits that nothing incriminating has been recovered from the petitioner's possession nor he was put on TIP. Counsel submits that the criminal antecedent of the petitioner is not clean as there are six criminal cases pending against him. The petitioner is in custody since 16.10.2023 in the present case. Counsel further submits that other co-accused persons have been granted bail by this Court *vide* order dated 20.07.2024 passed in Cr. Misc. Nos. 49530 of 2024, 44247 of 2024 & 44249 of 2024 respectively.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case, let the petitioner above named be granted bail, but only after framing of charge, if not framed as well as on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are mentioned below, and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kochadhaman P.S. Case No. 136 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

7. Pending cases against the petitioner are as follows:-



- (I)- Kasba P.S. Case No. 187 of 2023.
- (II)- Kasba P.S. Case No. 212 of 2023.
- (III)- Kochadhaman P.S. Case No. 159 of 2023.
- (IV)- Kochadhaman P.S. Case No. 161 of 2023.
- (V)- Kochadhaman P.S. Case No. 124 of 2023.
- (VI)- Kochadhaman P.S. Case No. 142 of 2023.

(Dr. Anshuman, J)

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