

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68602 of 2024

Arising Out of PS. Case No.-59 Year-2024 Thana- SAKATPUR District- Darbhanga

Praveen Kumar Singh Son of Brahmdeo Singh @ Braham Singh R/o Village-
Kakaudha, P.S.- Sakatpur, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 01-10-2024 Heard Learned Counsel for the petitioner and Learned
A.P.P. for the State.

2. The present Cr. Misc. Application No. 68602 of 2024 has been filed under Sections 483 & 484 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") praying for regular bail to the petitioner in connection with Sakatpur P.S. Case No. 59 of 2024, dated 08.07.2024, lodged under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as "BNS, 2023").

3. As per the prosecution, FIR has been lodged against unknown accused person. It has been alleged in the FIR that the informant's mobile phone was stolen.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner is not named in the FIR and his name has been figured in this case due to dirty village politics.



Counsel further submits that police has not arrested the petitioner, rather, the informant himself caught him and handed over to the police on the allegation that it is the petitioner who has stolen the informant's mobile phone. Counsel submits that investigation is completed and charge-sheet has been submitted in this case under Sections 303(2) & 317(2) of BNS, 2023.

5. Learned Counsel for the petitioner further submits that the criminal antecedent of the petitioner is clean and he is in custody since 16.07.2024. Counsel submits that the offence in which the case has been lodged is of magisterial triable.

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

7. In the present facts and circumstances of this case, let the petitioner above named be granted bail, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Judicial Magistrate 1st Class, Darbhanga in connection with Sakatpur P.S. Case No. 59 of 2024, subject to the conditions as laid down U/s 480(3) of the BNSS, 2023.

(Dr. Anshuman, J)

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