

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84359 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- ALIPUR District- Gaya

CHHOTU KUMAR S/O LATE MAHABIR YADAV R/O VILLAGE-
KOSHDIHRA, P.S- MAGADH MEDICAL, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 379 of the Indian Penal
Code.

3. As per prosecution case, some unknown miscreants
theft the tractor of the informant in front of his house.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR and
the same has been lodged against unknown persons. On the
basis of confessional statement of the petitioner, the as alleged
tractor has been recovered by the police. Nothing
incriminating/looted articles have been recovered from the



conscious possession of the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 04.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Gaya in connection with Alipur P.S. Case No. 50 of 2023.

(Sunil Kumar Panwar, J)

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