

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81588 of 2023**

Arising Out of PS. Case No.-408 Year-2023 Thana- RAJGIR District- Nalanda

Om Suman S/O Ram Sewak Mahto Village- Hirmia, Ps. Rosra, Dist. Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA**

**ORAL ORDER**

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

The petitioner seeks regular bail in connection with Rajgir P.S. Case No. 408 of 2023 instituted for the offences punishable under Sections 379 and 414 of the Indian Penal Code .

It is a case of recovery of three mobile phones, one pair gold like jhumka, one three lari gold like jhumka, one old gold like jhumka etc and also huge quantity of articles from the accused persons.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that nothing was recovered from the conscious possession of the petitioner. He further submits that on perusal of the order of learned Sessions Judge, Nalanda dated 27.09.2023, it appears that nature of the allegation and recovery of stolen articles, the



court below was not inclined to enlarge the petitioner on bail. However, the petitioner may renew his prayer for bail after two months from passing of the court below order. He further submits that similarly situated co-accused has already been granted regular bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 77062 of 2023 vide order dated 05.12.2023 and petitioner is in judicial custody since 11.08.2023.

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

Considering the facts and circumstances of the case as well as the fact that similarly situated co-accused has already been granted regular bail by a Co-ordinate Bench of this Court, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Na-landa at Biharsharif in connection with Rajgir P.S. Case No. 408 of 2023.

**(Ramesh Chand Malviya, J)**

Brajesh Kumar/-

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