

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81591 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- KESARIA District- East Champaran

Golu Kumar Son of Mahesh Kumar Bhagat Resident of Village- Himmat Patti,
P.S.- Sahebganj, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 03-12-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Kesariya P.S. Case No. 76 of 2024, instituted for the offences
punishable under Section 379 of the Indian Penal Code.

3. The prosecution case, in short, is that, motorcycle
of the informant bearing Registration No.- BR05AR-5340
containing mobile phone and Rs. 4,000/- in the dickey was
stolen away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner also submits that the petitioner is not named in the



FIR. Name of the petitioner has transpired on the basis of his own confessional statement recorded in Kesariya P.S. Case No. 77 of 2024 also on the basis of confessional statement made by co-accused Vikash Kumar and same has got no evidentiary value. It is further submitted that no stolen article has been recovered from the possession of the petitioner. The petitioner is in custody since 13.08.2024 and has got one criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kesariya P.S. Case No. 76 of 2024.

(Rudra Prakash Mishra, J)

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