

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84519 of 2023

Arising Out of PS. Case No.-487 Year-2022 Thana- FORBESGANJ District- Araria

Khurshid @ Khurshid Ansari Son Of Riyajuddin Resident Of Village-
Kurshailr, Ps- Forbesganj, Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2.The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 461 and 379 of the Indian Penal Code and later on Section 411 of the IPC Was added.

3. As per prosecution case, the informant alleged that some unknown miscreants committed theft at the godown of the informant and took away batteries and invertors.

4.Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of co-accused before the police which



has got no evidentiary value in the eye of law who has already been granted bail by another co-ordinate Bench of this Court vide Annexure-2 of this petition. Nothing has been recovered from the conscious possession of the petitioner. The recovery has been made from the possession of co-accused not from this petitioner. Moreover, the petitioner is languishing in judicial custody since 06.05.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Forbesganj P.S. Case No. 487 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria.

(Sunil Kumar Panwar, J)

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