

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1054 of 2024

Arising Out of PS. Case No.-316 Year-2023 Thana- BIHAR District- Nalanda

Md. Shamshad Son of Late Islam R/o vill - Chainpura, P.S. - Bihar, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bihar P.S. Case no. 316 of 2023 registered under sections 457 and 380 of the Indian Penal Code.

3. As per the prosecution case, the informant states that while he along with members of his family were sleeping, unknown accused persons looted various articles from his house which included the ornaments mentioned therein, Rs.30,000/ in cash as also mobile phones etc.

4. It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The name of the petitioner transpired in course of investigation. Referring to the order of the learned trial Court it is submitted



that the prosecution is mainly relying on the confessional statement of the coaccused as also the petitioner's confessional statement. No incriminating article has been recovered from the petitioner's possession. He is in custody since 12.5.2023 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the material that has transpired in course of investigation as is evident from the order of the learned trial Court, the petitioner having remained in custody for 10 months since 12.5.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Bihar P.S. Case no. 316 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif.

(Partha Sarthy, J)

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