

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7634 of 2025

Arising Out of PS. Case No.-44 Year-2024 Thana- Babarganj District- Bhagalpur

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Sagar Choudhary @ Sagar Kumar Choudhary Son of Shyam Sundar Choudhary @ Shyam Choudhary Resident of- Ram Mandal Lane, Mahespur, Sakrulachak, P.S.- Babarganj, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ankit Raj, Advocate
For the Opposite Party/s : Mrs. Nirmala Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 07-05-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

3. The allegation in the F.I.R. is that on 09.06.2024, three persons were stealing the iron slab from a silk mill. One person, namely, Niraj Yadav was apprehended while the others managed to escape.

4. It is submitted by learned counsel for the petitioner that the name of the petitioner has surfaced in the case on the disclosure made by the apprehended accused, Niraj



Yadav from whom the stolen iron slab was recovered. It is further submitted that no recovery has been made from the conscious possession of the petitioner and his implication is only based upon the confessional statement of co-accused, Niraj Yadav. It is further submitted that in view of the fact that no recovery has been made from the possession of the petitioner, hence no offence is made out under Section 411 of Indian Penal Code against the petitioner.

5. Learned APP for the State opposed the prayer for bail on the ground that the petitioner has one criminal antecedent of the same nature of the offence. In response to this, learned counsel for the petitioner submits that the petitioner is on bail in the said case.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 Court below where the case is pending/successor Court in connection with Babarganj P.S. Case No. 44 of 2024, subject to the condition as laid down under Section 438



(2) of the Cr.P.C/ 482 (2) Bharatiya Nagarik Suraksha Sanhita
(BNSS), 2023.

(Soni Shrivastava, J)

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