

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15897 of 2025

Arising Out of PS. Case No.-550 Year-2023 Thana- MITHANPURA District- Muzaffarpur

Sarfaraz @ Kachin @ Md Sarfaraz, aged about 45 years, Son of Late Chhoto,
Resident of Mohalla- Nala Road Fakir Tola Pakki Sarai (Chandwara) Near
Peer Momin Sah Majar, P.S.- Town, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mazharul Hassan, Advocate

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

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

ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for
the offence punishable under Sections 457, 380 and 411 of the
Indian Penal Code.

3. As per prosecution case, FIR has been lodged
against unknown accused persons against whom there is an
allegation that they have committed theft in the house of the
informant by taking jewellery and cash of Rs.1,50,000/- from
the almirah.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner is not named in the FIR and he is not



arrested on the spot and nothing any theft or incriminating articles have been recovered form the house or conscious possession of the petitioner as stated in para-12 of the petition. Similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 23544 of 2024 and he is in custody since 24.12.2023.

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

6. In view of the aforesaid facts and circumstances as also the fact that similarly situated co-accused has been granted regular bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 23544 of 2024, so I am inclined to grant regular bail to the petitioner.

7. Accordingly, let the above named petitioner 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 Court No.-06, Judicial Magistrate, F.C. Muzaffarpur (East), District- Muzaffarpur in connection with Mithanpura P.S. Case No. 550 of 2023.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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