

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86056 of 2024

Arising Out of PS. Case No.-204 Year-2024 Thana- KAMTAUL District- Darbhanga

Kishan Kumar, aged about 23 years (Male), Son of Vinod Sah, Resident of Village- Pupri, P.S.- Pupri, Dist- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Saurav Anand, Advocate

For the Opposite Party : Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-01-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Kamtaul P.S. Case No. 204 of 2024 dated 22.07.2024 registered for the offences punishable under Sections 334(1) and 303(2) of the B.N.S., 2023.

3. As per the prosecution case, the informant has a shop of testing gold and silver at Kamtaul Bazar. It is further alleged that on 22.07.2024 at about 8.00 A.M., when he came to his shop, he saw that the lock of his shop was broken and from the shop 80 gram gold and 2 kgs., silver, testing machine of gold and silver and cash of Rs. 40,000/- has been stolen by some unknown thieves.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The F.I.R. has been registered against unknown. It is further submitted that during the course of investigation, from perusal of the CCTV footage, it appears that three persons were seen coming on a motorcycle and were moving near the shop but no visible face was seen but the informant raised suspicion only against the petitioner as he used to visit the shop of the informant. Thereafter, the petitioner was arrested but nothing has been recovered from his possession. It is further submitted that the real owner of the shop in question and house owner has not been examined by the Investigating Officer to substantiate the fact that the theft has been committed. It is further submitted that the petitioner was having illicit relation with a girl in Darbhanga and ultimately he has been made accused in the present case in the background of the said affair. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody since 02.09.2024.

5. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Darbhanga in connection with Kamtaul P.S. Case No. 204 of 2024 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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