

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87144 of 2024

Arising Out of PS. Case No.-179 Year-2024 Thana- PAKRIDAYAL District- East Champaran

Kundan Kumar Son of Parvesh Mukhiya Resident of Village -Siahani Police
Station- Pakridayal, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Ranjana Srivastava, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-01-2025 Heard Mrs. Ranjana Srivastava, learned counsel
for the petitioner and Mr. N. N. Tiwary, learned APP for the
State.

2. The petitioner seeks bail in connection with
Pakridayal P.S. Case No. 179 of 2024, instituted for the offences
punishable under Sections 331(4) and 305(a) of the Bharatiya
Nyaya Sanhita, 2023 and Section 317(2) of the Bharatiya Nyaya
Sanhita, 2023 was added later on.

3. The prosecution case, in short, is that, when the
informant was sleeping at night, theft was committed in his
house and in his neighbour's house. Cash of Rs. 30,000/- along
with laptop and ornaments were stolen from the house of the
informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that the petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. No stolen article has been recovered from the possession of the petitioner. The petitioner is in custody since 13.08.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pakridayal P.S. Case No. 179 of 2024.

(Rudra Prakash Mishra, J)

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