

Court of Addl. Sessions Judge-V, Begusarai
B.A. No. 1298 of 2023
Arising out of Birpur P.S. case no. 97 of 2023
Raja Kumar Vs. State of Bihar

22.08.2023

Heard the learned counsel for the petitioner namely Raja Kumar, **who is in custody since 21.07.2023** in connection with Birpur P.S. case no. 97 of 2023 u/s 457.380 of IPC, pending in the court of Shri Rohit Kumar Gaurav, J.M.Ist Class, , Begusarai.

The learned counsel for the petitioner submitted that the petitioner is quite innocent and has committed no offence and he has been falsely implicated in this case due to suspicion. Further submitted that the petitioner is neither named in the FIR nor his name is figured in the FIR by way of suspicion. It is further submitted that nothing had ever been recovered either from conscious or constructive possession of the petitioner or at his instance. That the petitioner is in custody since 20.07.2023. Other co-accused has been granted bail by this court earlier and the case of this petitioner stands on similar footing. Thus prayer has been made to enlarge the petitioner on bail.

The learned Addl.P.P. opposed the prayer for bail but conceded the submission of the learned counsel for the defence.

After appreciating the argument on behalf of both the sides and perusal of the record as well as case diary, it appears that as per the FIR, the informant Amit Kumar Paswan is resident of village- Fulkari, District Begusarai . On 26.06.2023 in the night he along with his family members were sleeping and when awoke on 27.06.2023 saw his mobile, ornaments , one lakh rupees and some valuable paper missing which have been stolen away by unknown thieves .There is no criminal antecedent against this petitioner . **Moreover the accused petitioner is in jail custody since 21.07.2023.** Other co-accused has been granted bail by this court earlier and the case of this petitioner stands on similar footing. Thus in view of the facts and

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circumstances of the case and nature of the offence , this court is inclined to enlarge the petitioner on bail . Accordingly the petitioners are enlarged on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the court below .

Dictated

Sd/-

Addl. Sessions Judge-V

Begusarai