

B.P. No. 1460 / 2022

Lakshman Kumar Vs. The State of Bihar

20.10.2022

The present petition for regular bail has been filed on behalf of petitioner **Lakshman Kumar**, who is in judicial custody since 29.09.2022 in connection with Laheri P.S. case No. 369/2022 registered for the offences punishable u/s. 356, 379/34 of the I.P.C. and later on added u/s 411 of the I.P.C. vide order dated 29.09.2022.

The prosecution case, in brief, is that informant Nishant Kumar gave a written report to the S.H.O., Laheri P.S., alleging that on 28.07.2022 at about 10.15 P.M. he had come to appear in an examination and while he was behind the Petrol Pump, Ramchandrapur, two boys came on a Bullet and snatched his mobile of Realme company bearing mobile No. 9546011069 and fled away.

Heard learned counsel Sri Ashok Kumar for the petitioner and learned P.P. Mr. Quaisar Imam on behalf of the State.

Learned lawyer of the petitioner has submitted that the petitioner is innocent, has committed no offence and he has been falsely implicated in this case. The petitioner is not named in the F.I.R. but during course of investigation, he has been made accused in this case. He has further submitted that the petitioner has no knowledge about the theft of mobile and the mobile was entrusted to the petitioner by one Rajesh Ranjan @ R.K. Pandey. There is no any evidence against the petitioners and no T.I.P was conducted by the police. The petitioner has been languishing in jail since 29.09.2022. On these facts, he has prayed that the petitioner be released on bail.

Learned P.P. opposed the prayer for bail of the petitioner.

Heard and perused the case record. From perusal of the case record, it transpires that the F.I.R. has been registered against unknown and the petitioner has been made accused on the basis of recovery of the stolen mobile and confessional statement. Except the confessional statement, no other co-related evidence is against the petitioner. The petitioner has not been put on T.I.P. The petitioner has no criminal antecedent and he is in custody since 29.09.2022.

Considering the entire facts and circumstances of this case and the period of custody, the petitioner is ordered to be released on bail on furnishing bail bond or **Rs. 10,000/- with two sureties** of the like amount each to the satisfaction of the learned court below with condition that one of the bailor must be close relative of the petitioner.

(Dictated & corrected)

Sd/-
(Hasmuddin Ansari)
Sessions Judge, Nalanda,
Biharsharif.