

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15295 of 2016**

Arising Out of PS.Case No. -223 Year- 2015 Thana -BARAHIYA District- LAKHISARAI

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Alok Kumar @ Munchun, S/o Arvind Kumar Singh

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Anusaiya Jaiswal(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

2 18-04-2016

Counsel for the petitioner seeks and is permitted to make necessary correction at paragraph-1 of the petition in course of the day.

Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Sections-392, 411 of the Indian Penal Code.

Petitioner is not named in the first information report but in course of investigation, the name of petitioner came in this case and it is stated that on the basis of confessional statement, looted money and the vehicle which had been used in the commission of alleged crime, were recovered.

Learned counsel for the petitioner submits that only Rs. 800/- is said to have been recovered from conscious

possession of the petitioner and as a matter of fact, the seized amount belongs to the petitioner. It is further submitted that the petitioner does not have any criminal antecedent and is languishing in jail custody since 09-11-2015 whereas; having more or less similar allegation, one co-accused namely, Niraj Kumar has already been granted privilege of bail by this court.

It would appear from perusal of the first information report that the present case was lodged u/S 392 of the Indian Penal Code but learned court below wrongly mentioned in the impugned order that the present case was lodged u/S 379/511 of the Indian Penal Code.

Moreover, considering the above-said facts and circumstances of the case as well as submission of the parties and also keeping in mind that the petitioner does not have any criminal antecedent, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Barahiya P.S. Case No. 223 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai.

**(Hemant Kumar Srivastava, J)**

A.K.V./-

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