

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21672 of 2020

Arising Out of PS. Case No.-749 Year-2019 Thana- AHYAPUR District- Muzaffarpur

Mithlesh Kumar @ Mithilesh Sahni, S/o Bhola Sahni, Resident of Village-
Mothahan, P.S.-Minapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr.M.K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Ahiyapur P.S. Case No.749 of 2019, Trial No.1998 of 2020, for
the offence punishable under Section 394 of the Indian Penal
Code.

Earlier the petitioner had moved this Court for grant
of bail in Cr.Misc. No.74676 of 2019, which was rejected vide
order dated 04.12.2019.

The allegation against the petitioner is that he along
with other accused had snatched the laptop and mobile etc. of
the informant.

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



case. The petitioner is not named in the F.I.R. nor any incriminating or looted article has been recovered from his possession. It is further submitted that though the petitioner is in custody since 30.06.2019, but till date he has not been put on T.I. Parade. Other co-accused persons, including a similarly situated co-accused Subodh Kumar Mahto @ Subodh Kumar has been granted regular bail by this Court in Criminal Misc. No. 74451 of 2019, vide order dated 16.01.2020

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail in connection with Ahiyapur P.S. Case No.749 of 2019, Trial No.1998 of 2020, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, subject to the conditions as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend
in accordance with the conditions of the
bond executed under this Chapter,

(b) that such person shall not



commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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