

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48168 of 2021**

Arising Out of PS. Case No.-45 Year-2019 Thana- BELA INDUSTRIAL District-
Muzaffarpur

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PRAKASH KUMAR @ PRAKASH THAKUR Son of Nand Bhoosan
Resident of Village- Repura, P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 26-04-2022 Heard the parties.

Petitioner seeks regular bail in connection with (G.R.
No. 5957 / 2019) Bela PS Case No. 45 / 2019 registered under
Section 392 of the IPC.

Three unknown miscreants alleged to have looted a
sum of Rs. 4,60,000/- and two mobile hand sets from the flour
mill premises of the informant.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated by the police with oblique
motive inasmuch as earlier the petitioner was arrested in Sakra
PS Case No. 212 / 2020 registered under Section 25(1-b)a / 26 /
35 of the Arms Act in which the petitioner was granted bail by
this Court and when the petitioner surrendered for furnishing



bail bond he has been remanded in three other cases. Learned counsel next submits that petitioner is not named in the FIR and he has been made accused on the basis of confessional statement of the co-accused Prashant Gaurav. He further submits that no incriminating and / or looted article has been recovered from the petitioner, he has not been put on T.I.P. and the petitioner is in custody since 12-03-2021.

Regard being had to the submissions made by the parties, taking into consideration the material on record, the fact that petitioner is in custody since 12/03/2021, charge sheet has already been submitted, no incriminating and / or looted article has been recovered from the possession of the petitioner, petitioner has not been put on T.I.P., as such I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Sri Aftab Alam, learned J.M. 1st Class, Muzaffarpur in connection with Bela PS Case No. 45 / 2019 on the following condition :-

(a) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of



the petitioner, his bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J)

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