

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37073 of 2023

Arising Out of PS. Case No.-358 Year-2022 Thana- MAHUA District- Vaishali

Rakesh Kumar @ Rakesh Kumar Yadav Son Of Nagendra Rai @ Nagendra Ray Resident Of Village - Mukundpur, Mangru Chowk, Ward No. 10 ,P.S. - Mahua, Distt. - Vaishali, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupa Kumari, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Mahua P.S. Case No. 358 of 2022 dated 25.05.2022. registered for the offence punishable u/s 392 of the Indian Penal Code.

As per the prosecution case, 2-3 unknown miscreants attacked the informant on his head from the butt of the pistol and they snatched motorcycle, a mobile phone and other documents.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. No. T.I.P has been conducted by the prosecution. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused Amrendra Kumar. The petitioner is accused in seven other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 25.07.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali at Hajipur in connection with Mahua P.S. Case No. 358 of 2022, with the condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.



The application stands allowed.

(Chandra Prakash Singh, J)

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