

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55290 of 2022

Arising Out of PS. Case No.-58 Year-2022 Thana- AKBARNAGAR District- Bhagalpur

Prahlad Kumar @ Prahlad Roy @ Chotu Roy, Male, aged about 20 years, Son of Shri Rama Shankar Roy R/O Village- Makandpur, P.S.- Nathnagar, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Das, Adv.

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Akbarnagar P.S. Case No. 58 of 2022 registered for the offence punishable under Section 394 of the Indian Penal Code.

Four (4) persons on 'Apache' motorcycle have accosted the informant near the petrol pump while he was on his way home. It is alleged that they have snatched Rupees one lakh and sixty thousand (Rs. 1,60,000/-), being the sale proceeds of the day from his business as well as the motorcycle.

Learned counsel for the petitioner submits that the First Information Report (for brevity 'F.I.R.') is against unknown persons. The petitioner's implication is based on statement of co-accused, the same has led to no recovery. The petitioner, under such circumstances is in custody since 07.07.2022. There is one case against the petitioner since before as per the statement made in paragraph No. 3. The same is based on dispute with his agnates.

Learned APP for the State has opposed the prayer for bail.



Considering the rival submissions, manner of petitioner's implication, since there is no recovery attributed to the petitioner and the fact of investigation being complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Bhagalpur, in connection with Akbarnagar P.S. Case No. 58 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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