

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63194 of 2023

Arising Out of PS. Case No.-181 Year-2023 Thana- SARAI District- Vaishali

Rahul Kumar @ Golu Son Of Rajiv Roy Resident Of Village - Mansurpur,
P.S. - Sarai, District - Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 392, 411 of the Indian Penal Code.

The prosecution case in nutshell is that while the informant along with one Nipu Kumar was going, in the meantime, three miscreants on motorcycle came and snatched the key of his vehicle. It is further alleged that on the point of pistol, they also snatched mobile from the possession of petitioner. It is further alleged that



stolen mobile phone was recovered from possession of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is further submitted that F.I.R. has been lodged after apprehending the miscreants, after an inordinate delay of 17 hours of the occurrence. There is no independent witness of the alleged seizure rather the informant and his friend has been produced as witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 09.07.2023. This case is triable by court of Judicial Magistrate.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail



after framing of charge, if not framed. The above
named petitioner is directed to be enlarged on bail **after**
framing of charge, if not framed in connection with
Sarai P.S. Case No. 181 of 2023 on furnishing bail bond
of Rs. 10,000/- (Rupees ten thousand) with two sureties
of the like amount each to the satisfaction of the learned
Additional Chief Judicial Magistrate XVI, Vaishali,
Hajipur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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