

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65030 of 2023

Arising Out of PS. Case No.-292 Year-2019 Thana- KOTWA District- East Champaran

Rakshit Shrivastava, Son Of Subodh Shrivastava @ Subodh Kumar @
Subodh Kumar Shrivastava, Resident Of Mohalla - Bhag Nagar, P.S. -
Kalyanpur, District - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Tiwari, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Trial No. 1609 of 2023 arising out of Kotwa P.S. Case No. 292 of 2019 dated 15.10.2019 registered for the offences punishable u/s 392 of the Indian Penal Code.

3. As per the prosecution case, four unknown miscreants boarded on two motorcycles came and on the point of knife, they snatched bag from nephew of the informant in which cash of Rs. 1,30,000/-, laptop, mobile, fingerprint scanner etc. were kept. They also tried to kill the informant and his nephew.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. 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, Jubair Ansari. Nothing has been recovered from the conscious possession of the petitioner and the petitioner has no concern with the alleged offence. No T.I.P. has been conducted by the prosecution. The petitioner is accused in six other criminal cases and he is on bail in five aforesaid cases as stated in para 3 of the bail petition. The petitioner is in custody since 17.03.2023.

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

6. 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, Eash Champaran, Motihari in connection with Trial No. 1609 of 2023 arising out of Kotwa P.S. Case No. 292 of 2019 with the condition :-

(i) 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, his bail bonds are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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