

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71176 of 2023

Arising Out of PS. Case No.-888 Year-2021 Thana- KHAGARIA District- Khagaria

Karan Poddar @ Karan Kumar, Son Of Krishan Mohan Poddar @ Mohan Poddar, Resident Of Village -CHANDRA Nagar Ranko, Ps -KHAGARIA (MUFFASIL), District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Khagaria (Muffasil) P.S. Case No. 888 of 2021 registered on 14.11.2021 for the alleged offences under Section 392 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, two miscreants robbed the informant of Rs. 89098. The name of the petitioner transpired during investigation as one of the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The name of the petitioner transpired on the basis of confessional statement of co-accused Sudhakar Kumar. Except



that there is no material to connect the petitioner with the offence as alleged. The petitioner has been named in this case due to political rivalry. He has not been put to any Test Identification Parade and no recovery has been made from the conscious possession of the petitioner. The petitioner is in custody since 17.05.2023 and charge-sheet has been submitted.

5. Learned APP opposes the prayer for bail submitting that petitioner is a habitual offender and is accused in a large number of cases. At this stage, learned counsel for the petitioner submits that petitioner is accused in altogether 11 cases and except three such cases, he is on bail in all other cases.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and also considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria/concerned court in connection with Khagaria (Muffasil) P.S. Case No. 888 of 2021, subject to the conditions



mentioned in Section 437(3) of the Code of Criminal Procedure
and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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