

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71197 of 2023

Arising Out of PS. Case No.-75 Year-2023 Thana- PIPRAKOTHI District- East Champaran

Rahul Kumar Son of Bhagat Sahni @ Bhagat Chaudhari Resident of Village
-Hathiyahi, P.S.- Pipra Kothi, Dist - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Piprakothi P.S. Case No. 75 of 2023, registered on 28.03.2023 for the alleged offences under Section 392 of the Indian Penal Code.

3. As per prosecution case, four miscreants on two motorcycle threatened the informant with gun and snatched his bag containing Rs.2,80,000/- and his mobile phone. The name of the petitioner surfaced during investigation as one of the miscreants.

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 came in this case on the basis



of confessional statement of co-accused Shubham Verma otherwise there is no material against the petitioner. No incriminating article has been recovered from the possession of the petitioner. It is wrong to say that looted cash was recovered from the petitioner. Learned counsel further submits that the co-accused, who confessed the name of the petitioner, has been granted bail by learned court below and a similarly situated co-accused namely, Sandeep Kumar has been granted bail by a Co-ordinate Bench vide order dated 01.11.2023 passed in Cr. Misc. No. 69503 of 2023. Learned counsel further submits that the petitioner was apprehended in Sugauli P.S. Case No. 119 of 2023 and thereafter, he was remanded in the present case. The petitioner is in custody since 08.06.2023 and charge sheet has been submitted and he is having antecedent of two cases.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner submitting that the petitioner is one of the robbers who snatched Rs.2,80,000/- from the informant.

6. Having regard to the facts and circumstances of the case and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner as submitted and further considering the period of



custody of the petitioner, 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, East Champaran at Motihari/concerned court in connection with Piprakothi P.S. Case No. 75 of 2023, 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)

DKS/-

U		T	
---	--	---	--

