

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80418 of 2023

Arising Out of PS. Case No.-446 Year-2022 Thana- BIKRAMGANJ District- Rohtas

Vivek Kumar S/O Uma Shankar Sah R/O Village- Bishambarpur, P.S.-
Imadpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

21-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in Bikramganj P.S. Case
No. 446 of 2022, instituted for the offences under Section 394 of
the Indian Penal Code.

3. As per prosecution case, while the Informant was
on his way to Nasriganj after collecting Rs. 1,81,645/- from the
market, four miscreants on two motorcycle pushed him from
behind due to which the Informant fell down. Thereafter, they
stopped their motorcycle and assaulted the Informant.
Meanwhile, one of the miscreants snatched the bag while
another miscreants took his mobile and key of the motorcycle
and fled away from there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case merely on suspicion. The petitioner is not named in the F.I.R. and his name has sprung in this case on the basis of the confessional statement of the co-accused/Roshan Kumar. Nothing incriminating has been recovered from the possession of the petitioner and is not concerned in any manner with the seized article. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. No T.I.P. has been conducted in this case till date. The petitioner is a student of B.Sc.

5. The petitioner is languishing in judicial custody since 02.09.2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the nature of offence as also the petitioner having no criminal antecedent, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bikramganj P.S. Case No. 446 of 2022.

(Rudra Prakash Mishra, J)

Rajorshi/-

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