

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80980 of 2023

Arising Out of PS. Case No.-88 Year-2016 Thana- KARAKAT District- Rohtas

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Santosh Kumar Mehta Son of Upendra Singh @ Upendra Mahto R/o vill -
Apki, P.S. - Kasma, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Kamendra Pd. Singh, Advocate
For the State : Mr. Brajendra Nath Pandey, APP

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

ORAL ORDER

2 22-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Karakat P.S. Case No. 88 of 2016 instituted for the offence
under Section 393 of the Indian Penal Code.

3. As per prosecution case on 21-05-2016, the
informant opened his '*Madhya Bihar Gramin Bank*', Karakat,
then 4-5 unknown miscreants entered fallaciously as customer
and on gun point demanded cash from the bank employees, but
on ruckus, miscreants fled away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 17-07-2023. Petitioner
bears three criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR, and name of the petitioner has been surfaced in this case due to confessional statement of co-accused, namely, Dadan Ram, who has been granted bail by the Court below, passed in Bail Petition No. 1144 of 2022. No T.I. Parade has been conducted in the instant case and there is no recovery of any incriminating articles from the possession of the petitioner. Other co-accused has also been granted bail by the Court below, passed in Bail Petition No. 36 of 2020.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Karakat P.S. Case No. 88 of 2016 subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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