

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9048 of 2024

Arising Out of PS. Case No.-82 Year-2023 Thana- MAHINDWARA District- Sitamarhi

Babul Kumar Son of Ram Ganesh Rai Resident of Village - Punarwara Ward
No.14, P.S. - Mahindwara, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Adv.

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

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

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Mahindwara P.S. Case No. 82 of 2023 instituted for the

offences under Section 392 of the Indian Penal Code.

3. As per prosecution case, when the Informant

was going to Muzaffarpur on his motorcycle bearing

Registration No. BR-06AY-9486 and reached at village

Korlahiya Musahari then suddenly three miscreants over took

his motorcycle and surrounded him and two persons put up

country made pistol. As per allegation, both the persons

snatched mobile, Aadhar Card, Pan Card, Driving License



and Rs. 1,000/- from him and fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and his name has surfaced in this case on the basis of confessional statement of co-accused Rajnish Kumar. He further submits that the looted motorcycle was recovered from the house of Bittu Kumar and the mobile was recovered from the possession of Sumit Kumar and, thus, nothing incriminating has been recovered from the conscious possession of the petitioner. Till date, no T.I.P. has been conducted in this case. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent in which he is on bail. The petitioner is languishing in judicial custody since 12.07.2023.

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

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Mahindwara P.S. Case No. 82 of 2023.

(Rudra Prakash Mishra, J)

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