

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11846 of 2024

Arising Out of PS. Case No.-356 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Navin Kumar Son of Umesh Singh R/o vill - Sihuliya, P.S. - Muffasil
Motihari, East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Anil Kumar, Advocate
For the State	:	Mr. Nand Kumar, APP

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

ORAL ORDER

2 26-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Motihari Muffasil P.S. Case No. 356 of 2023 instituted for the
offence under Section 392 of the Indian Penal Code (for brevity
‘the IPC’). Subsequently, Sections 395 & 411 of the IPC was
added.

3. As per prosecution case, informant was accosted
with 3-4 miscreants while he was on his way. Thereafter, they
assaulted him by fist and slap and snatched his motorcycle,
mobile, Rs. 5,000/-, smart watch and driving license and fled
away.

4. It has been submitted on behalf of the petitioner



that the petitioner has been remanded in this case on 20-09-2023 from Muffasil Motihari P.S. Case No. 405 of 2023. Petitioner bears two 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. Name of the petitioner has surfaced in this case during course of investigation on his own confessional statement. No T.I. Parade has been conducted in this case. Mobile phone has been recovered from the possession of the petitioner, which belongs to him. Charge sheet has already been submitted in this case.

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 the fact that charge sheet is submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, **after framing of charge, if not already framed**, 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 Muffasil Motihari
P.S. Case No. 356 of 2023, 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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