

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6879 of 2024

Arising Out of PS. Case No.-581 Year-2023 Thana- MADHEPURA District- Madhepura

Rajesh Kumar S/O- Radhe Shyam Mandal R/O- Village- Rahua, P.S.-
Sourbazar, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Madhepura (Bharrahi O.P.) P.S. Case No. 581 of 2023 instituted
for the offences under Sections 392/411 of the Indian Penal
Code.

3. As per prosecution case, on 02.06.2023, the
Informant was going to his Sasural/Patarghat on Hero Stream
Motorcycle bearing Registration No. BR38Z-7597. As soon as
he reached near the village Manpur Gorhiyari, three persons,
boarded on a Pulsar motorcycle, intercepted him and snatched
his motorcycle, money, ATM Card as also Samsung company
mobile-phone on the point of pistol 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 due to highhandedness of the local police. He further submits that there is delay of six days in lodging the F.I.R. and there is no plausible explanation for the same. The petitioner is neither named in the F.I.R. nor was arrested from the place of occurrence. Subsequently, the name of the petitioner has been dragged in this case alleging that a stolen motorcycle and a live cartridge was recovered from the possession of the petitioner while he was arrested along with one Babul Kumar in Saurbazar (Pastpar) P.S. Case No. 303/2023 instituted on 04.06.2023. Nothing incriminating has been recovered from the possession of the petitioner. He further submits that the petitioner has been remanded in this case from Saurbazar (Pastpar) P.S. Case No. 303 of 2023 on 13.09.2023 and, since then, he is languishing in jail custody although he has been granted bail in the said Saurbazar (Pastpar) P.S. Case No. 303/2023. The petitioner has one criminal antecedent as has been stated in Para-3 of the present bail application in which he is on bail.

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 as also 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 Madhepura (Bharrahi O.P.) P.S. Case No. 581 of 2023.

(Rudra Prakash Mishra, J)

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