

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6514 of 2024

Arising Out of PS. Case No.-722 Year-2023 Thana- MADHEPURA District- Madhepura

Rohit Kumar S/O- Hareram Yadav @ Hareram Sah R/O- Village- Brindawan,
Ward No.- 7, P.S.- Murliganj, Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
	:	Dr. Bidhu Ranjan, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar Singh, APP

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

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Madhepura (Barrahi O.P.) P.S. case No. 722 of 2023, instituted for the offences under Sections 392, 411 of the Indian Penal Code and Section 25(1-b)a, 26, 35 of the Arms Act.

3. As per prosecution case, the police got secret information that miscreants after snatching cash and mobile phone from someone at Machbakhra Kabristan fled away towards Chandni Chowk. When the informant along with other police personnel reached Chandni Chowk, he saw that two motorcycles were coming. With the help of other police officials the informant stopped the motorcycles and apprehended the



petitioner and others, meanwhile, victim alongwith his family members came there and narrated the police that while he was returning home after closing the shop, few miscreants snatched Rs. 30,000/- in cash and one Samsung mobile phone from him and fled away. On search, one country-made pistol, one live cartridge and one mobile phone was recovered from this petitioner.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case merely on suspicion. Chargesheet has been submitted in this case. Learned counsel further submitted that the petitioner was returning from his relative's house and on the way, due to misunderstanding, police apprehended him and shown the alleged recovery. The co-accused person has already been granted bail by a Coordinate Bench of this Court vide order dated 05.01.2024 passed in Cr. Misc. No. 79805 of 2023. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.07.2023 and has no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, clean criminal antecedent of the petitioner as well as



the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Madhepura (Barrahi O.P.) P.S. case No. 722 of 2023.

(Rudra Prakash Mishra, J)

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