

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11820 of 2024

Arising Out of PS. Case No.-70 Year-2022 Thana- MUSRIGHRARI District- Samastipur

Dharmendra Rai @ Dharmendra Kumar Ray Son of Mahesh Ray Resident of
Vill.-Jitwarpur Kumhira, P.S.-Sarairanjan, Distt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

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

ORAL ORDER

4 26-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Musrigharari P.S. Case No. 70 of 2022 instituted for the offence
under Section 392 of the Indian Penal Code.

3. The prosecution story, in short, is that while the
informant was going on his motorcycle, three unknown persons
attacked him, snatched his mobile and took out a bag containing
Rs. 1,34,950/-, Tab, Bio-matrix, Stapler and other articles from
the dickey of the motorcycle and fled away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 26-07-2023. Petitioner
bears five 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 transpired on the basis of confessional statement of co-accused, namely, Devendra Kumar Sharma @ Nanhki. Charge sheet has already been submitted in this case and but, till date, no TIP has been conducted. Other co-accused has been granted bail by this Court *vide* order dated 04-12-2024, passed in Cr. Misc. No. 76622 of 2023.

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 Musrigharari P.S. Case No. 70 of 2022, 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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