

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19231 of 2024

Arising Out of PS. Case No.-604 Year-2023 Thana- BIDUPUR District- Vaishali

Md. Kadir Son Of Md. Alaudin Village -Mathura PS -Bidupur District
-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Shyameshwar Kumar Singh, Advocate
For the State : Mr. Sucheta Yadav, APP

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

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Bidupur P.S. Case No. 604 of 2023 instituted for the offence under Sections 394, 120(B), 504 & 506 of the Indian Penal Code (for brevity 'IPC'). Subsequently, Section 414 of the IPC was added.

3. Prosecution case in a nutshell is that while the informant was on his way to his shop, he was accosted with two miscreants, who snatched his bag containing 8 kgs of silver ornaments and one of the co-accused has assaulted him by means of butt of the pistol.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 18-10-2023. Petitioner bears one criminal antecedent, 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 on the basis of confessional statement of co-accused, namely, Vikash Kumar, and the same has no evidentiary value. Petitioner was not put on T.I. parade. Nothing has been recovered from the possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C. It is lastly submitted that 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, manner of petitioner's implication and charge sheet being submitted, 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 Bidupur
P.S. Case No. 604 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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