

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18766 of 2024

Arising Out of PS. Case No.-11 Year-2023 Thana- MOKAMAH District- Patna

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Himanshu Kumar @ Mikki Kumar Son Of Sujit Singh @ Sujit Kumar
Resident Of Village- Shakarwar Tola Ward No. 15, Mokana Ps- Mokama,
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Mokama P.S. Case No.11 of 2023 instituted for the offences
under Sections 461, 379 of the IPC.

3. Prosecution case, in short, is that the petitioner is
said to have committed robbery of Rs.5,15,000/- by breaking the
grill of the shop of the informant.

4. Learned counsel for the petitioner submits that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case. The allegation levelled against the



petitioner is not specific rather general and omnibus in nature. There is no eye witness of the alleged occurrence. It is further submitted that the house of the petitioner is situated 100 to 200 meters from the shop of the informant and petitioner was just going towards his house through a lane where shop of the informant is situated. Petitioner has five criminal antecedents, as mentioned in paragraph-3 of this application. Learned counsel for the petitioner submits that petitioner is in custody since 16.12.2023.

5. Learned APP for the State has vehemently opposes the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of court below/concerned court in connection with Mokama P.S. Case No.11 of 2023 with 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)

Prakash Narayan

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