

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20196 of 2024

Arising Out of PS. Case No.-597 Year-2023 Thana- DARIYAPUR District- Saran

Mithun Kumar @ Mithun Thakur, S/o- Bhikhari Thakur, Resident of Village-
Gangoi PS- Bheldi District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Abhishek Kumar Singh, Advocate
	Mr. Pranoy Kumar, Advocate
	Mr. Yatindra Narayan, Advocate
	Mr. Nilesh Kumar, Advocate
	Mr. Ankur Apurv Singh, Advocate
For the Opposite Party/s :	Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Dariyapur P.S. Case no. 597 of 2023, registered under section 392 of the Indian Penal Code.

3. As per the prosecution case, the informant states that three accused persons on another motorcycle brought their vehicle next to the vehicle of the informant, assaulted him and dispossessed the informant of his motorcycle. Thereafter, they escaped.

4. Learned counsel for the petitioner submits that the FIR was registered against three unknown. Referring to the order of the learned trial Court it is submitted that the petitioner



was falsely implicated in the case in course of investigation when his name was allegedly taken by one of the co-accused namely, Shailesh Kumar in his statement before police. No incriminating article has been recovered from the petitioner's possession who has been falsely implicated because of his antecedent. The petitioner is in custody since 14.12.2023 and charge-sheet has been submitted in the case without putting the petitioner on T.I.Parade.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the name of the petitioner transpiring in the confessional statement of the co-accused made before police, no incriminating article having been recovered from the petitioner's possession and charge-sheet having been submitted in the case without putting the petitioner on T.I.Parade inspite of his being in custody since 14.12.2023, the petitioner is directed to be enlarged on bail in connection with Dariyapur P.S. Case no. 597 of 2023, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran on the following



conditions:

(I) The petitioner shall remain properly represented in the trial court on each date of the case/trial and shall cooperate in the trial.

(II) In case, the learned trial Court is of the opinion that the case/trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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