

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20001 of 2024

Arising Out of PS. Case No.-152 Year-2023 Thana- PARBATTI District- Bhagalpur

Dharmendra Kumar @ Hito son of Sadanand Singh Village- Pakra Ps-
Naugachia Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Md. Matloob Rab, APP

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

ORAL ORDER

3 10-04-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Parbatta P.S. Case No.
152 of 2023, instituted for the offences punishable under
Section 394 of the Indian Penal Code and Section.

3. The prosecution case, in short, is that, three
unknown miscreants along with one suspected person, namely
Sushil assaulted the informant and looted toto vehicle, mobile
phone and money from him.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Petitioner is not



named in the FIR. The name of the petitioner came into light during investigation on the basis of confessional statement of the co-accused Parveen Sharma which was recorded in Ismailpur P.S. Case No. 97 of 2023 and co-accused Abhishek Kumar. It has been submitted on behalf of the petitioner that no TIP has been conducted till date. Except the confessional statement of the co-accused, no other material has come up against this petitioner. The petitioner is in custody since 08.11.2023 and has got six criminal antecedents in which the petitioner is on bail in four cases. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 16.02.2024 passed in Cr. Misc. No. 6517 of 2024.

5. Learned APP 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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Parbatta P.S. Case No. 152 of 2023, 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)

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