

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21524 of 2024

Arising Out of PS. Case No.-164 Year-2023 Thana- BIHARIGANJ District- Madhepura

Satyam Kumar Son Of Narayan Yadav Resident Of Village - Pararia Deeh
Tola, Ward No.01, P.S. - Bihariganj, District - Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

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

ORAL ORDER

3 23-08-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in Bihariganj P.S. Case No. 164 of 2023, instituted for the offences punishable under Sections 323, 341, 379, 506, 307 of the Indian Penal Code, Section 27 of the Arms Act and later on Sections 395, 397, 412 of the Indian Penal Code were added.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons intercepted the informant and one of them fired upon him and thereafter, they looted Rs. 57,610/-, a mobile phone and a motorcycle.

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. Learned counsel for the petitioner also submitted that the petitioner is not named in the FIR. As mentioned in para 48 of the case diary that during the course of investigation, on the basis of audio and video, the petitioner and named co-accused Ashish Kumar were arrested by the police and recorded confessional statement of the petitioner and co-accused Ashish Kumar which has got no evidentiary value. The petitioner is in custody since 19.08.2023 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 13.03.2024 passed in Cr. Misc. No. 16726 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, taking into account the period of custody undergone by the petitioner and claim based on parity, 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 Bihariganj P.S. Case
No. 164 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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