

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23996 of 2024

Arising Out of PS. Case No.-179 Year-2023 Thana- MAHINDWARA District- Sitamarhi

Kishan Kumar son of Ram Shobhit Sahni Resident of Village- Koahi, P.S.-
Mahindwara, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Mahindwara P.S. Case No. 179 of 2023 instituted for the offence under Sections 399, 402, 413, 414 & 34 of the Indian Penal Code and Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. As per the prosecution case, on secret information regarding assembly of anti-social elements, police proceeded to the place of occurrence and apprehended the petitioner and on search there is recovery of one knife and motorcycle from the possession of the petitioner.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15-12-2023. Petitioner



bears two criminal antecedents, 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. Learned counsel for the petitioner submits that the motorcycle belongs to the motorcycle. No incriminating article has been recovered from the possession of the petitioner. 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 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 Mahindwara P.S. Case No. 179 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)

Raj Kishore/-

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