

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24462 of 2024**

Arising Out of PS. Case No.-229 Year-2023 Thana- DUMARIAGHAT District- East  
Champaran

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Mantu Kumar S/o Chandeshwar Rai R/o vill - Barharwa Mohammad, P.S. -  
Kalyanpur, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                      |   |                              |
|----------------------|---|------------------------------|
| For the Petitioner/s | : | Mr. Abhishek Kumar, Advocate |
| For the State        | : | Mr. Md. Mushtaque Alam, APP  |

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

ORAL ORDER

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

2.      The petitioner seeks bail in connection with  
Dumariyaghat P.S. Case No. 229 of 2023 instituted for the  
offence under Section 395 of the Indian Penal Code and Section  
27 of the Arms Act.

3.      Prosecution case in short is that five unknown  
miscreants came on two motorcycles at the C.S.P. of the  
informant and looted Rs. 2,48,000/- and also took away D.V.R.  
of Camera.

4.      It has been submitted on behalf of the petitioner  
that the petitioner is in custody since 25-09-2023. Petitioner  
bears five 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. Petitioner is not named in the FIR. Name of the petitioner has transpired during course of investigation on the basis of CCTV footage, in which petitioner was found fleeing. Petitioner was not put on TI parade. Nothing has been recovered from the possession of the petitioner. It is lastly submitted that charge sheet has already been submitted in this case. Other co-accused has been granted bail by this Court, *vide* order dated 01-04-2024, passed in Cr. Misc. No. 20567 of 2024.

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, claim based on parity 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 Dumariyaghat P.S. Case No. 229 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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