

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33177 of 2024

Arising Out of PS. Case No.-739 Year-2023 Thana- TAJPUR District- Samastipur

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Anish Kumar, Son of Ram Babu Ray, Resident of Village-Kasbe Ahar, Ward
No.- 12, Police Station - Tajpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Prakash Sharma, Advocate

For the Opposite Party/s : Mr.Shaheen Begum, APP

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

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Tajpur
P.S. Case No. 739 of 2023 instituted for the offences under
Section 392 of the Indian Penal Code.

3. Prosecution allegation, in short, is that four accused
persons entered into the house of informant and looted the
ornaments and cash of Rs. 1,50,000/- by breaking the godrej at
the point of pistol and fear. It is further alleged that three set of
mobile and adhar card of the informant has also been taken
away by the accused persons.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has



falsely been implicated in this case due to dirty village politics. Petitioner is not named in the F.I.R. Neither he was arrested on the spot nor he has any concern with alleged occurrence. His name transpired during course of investigation only on the basis confessional statement of co-accused Sujeet Kumar before the police which has no evidentiary value in the eye of law. Charge-sheet has been submitted in this case. The petitioner is in judicial custody since 25.12.2023 and has got no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayed for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the Court below/concern Court in connection with Tajpur P.S. Case No. 739 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



dated 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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