

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31450 of 2024

Arising Out of PS. Case No.-464 Year-2023 Thana- TAJPUR District- Samastipur

Heera Lal Kumar @ Heera Kumar Son of Mantun Sah Resident of Village-
Barbatta, Police Station- Musarigharari, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Adv.

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

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

2. The petitioner has preferred this application for grant of regular bail in connection with Tajpur (Halai) P.S. Case No. 464 of 2023 dated 17.08.2023 registered for the offences punishable u/s 394 of the Indian Penal Code.

3. As per the prosecution case, three motorcycle borne miscreants overtook the informant and stopped his motorcycle. One of the miscreants tried to snatch his bag and the other culprit assaulted the informant on his head. On being objected by the informant, one of the miscreants stabbed him in his back and the culprits snatched his bag containing money and other items and also snatched his mobile phone. The miscreants



also tried to snatch the informant's motorcycle but could not succeed.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. During the course of investigation, police apprehended the petitioner and confessed his involvement which has no evidentiary value in the eyes of law. No T.I.P. has been conducted by the prosecution. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has four criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 29.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Tajpur (Halali) P.S. Case No. 464 of 2023 with the condition/s:-

(i) The petitioner is directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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