

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30296 of 2024

Arising Out of PS. Case No.-86 Year-2023 Thana- MOTIPUR District- Muzaffarpur

Uday Kumar Son Of Rajendra Roy @ Rajendra Rai Resident Of Village -
Ratanpura, P.S. - Motipur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

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

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

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Motipur P.S. Case No. 86 of 2023 instituted for the offence
under Section 394 of the Indian Penal Code and Section 27 of
the Arms Act.

3. Prosecution case in short is that informant was
accosted with two unknown miscreants, who on the point of
pistol looted motorcycle, mobile phone, bag. It is further alleged
that one of the co-accused has fired upon the informant, which
hit the thigh of the informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 17-07-2023. Petitioner



bears four 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 on the basis of confessional statement of co-accused, namely, Premchand, and the same has no evidentiary value. Nothing has been recovered from the conscious 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, manner of petitioner's implication 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 Motipur P.S. Case No. 86 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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