

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35778 of 2024

Arising Out of PS. Case No.-474 Year-2023 Thana- MASHRAK District- Saran

Om Prakash Kumar Son of Kamakhya Prasad Village- Hamidpur, P.S.-
Baikunthpur, Dist- Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Maheshwar Prasad, Adv.

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

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

ORAL ORDER

2 09-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has earlier moved before this Court with a prayer for bail which was dismissed vide order dated 20.02.2024 passed in Cr. Misc. No. 9804 of 2024.

3. The petitioner seeks bail in connection with Mashrakh P.S. Case No. 474 of 2023 instituted for the offences under Section 392 of the Indian Penal Code.

4. As per prosecution case, the Informant was accosted with four unknown miscreants while he was on his way and on gun point, they looted cash to the tune of Rs. 1,10,000/- and motorcycle and fled away from there.

5. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and has been named in this case on the basis of confessional statement of co-accused Bittu Kumar. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has two criminal antecedents and is languishing in judicial custody since 07.11.2023 without any rhymes or reason. Charge-sheet has been submitted in this case on 06.01.2024.

6. Learned counsel for the petitioner again submits that the looted motorcycle has been recovered from co-accused Kamlesh Kumar who has been granted bail by this Court vide order dated 13.03.2024 passed in Cr. Misc. No. 21913 of 2024.

7. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

8. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the claim for bail being based on parity, let the petitioner, abovenamed, 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 Mashrakh P.S. Case No. 474 of 2023.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

