

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34147 of 2024

Arising Out of PS. Case No.-344 Year-2023 Thana- MAHUA District- Vaishali

Subodh Rai @ Subodh Kumar Son of Shivilal Rai Resident of village -
Madhaul, P.S.- Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

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

ORAL ORDER

2 02-05-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Mahua P.S. Case No. 344 of 2023, instituted for the offences punishable under Sections 461, 378 of the Indian Penal Code and subsequently, Sections 411, 413, 414 of the Indian Penal Code was also added.

3. The prosecution case, in short, is that, some miscreants are alleged to have committed robbery in the shop of the informant and while doing so, taken away mobile phones valuing Rs. 15-16 lakhs, laptops and other materials.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material or stolen item has been recovered from



the conscious possession of the petitioner. The petitioner is not named in the F.I.R. Name of the petitioner has transpired on the basis of confessional statement of co-accused Rahul Kumar which has no evidentiary value. The petitioner is in custody since 31.01.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 22.12.2023 passed in Cr. Misc. No. 81051 of 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mahua P.S. Case No. 344 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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