

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35696 of 2024

Arising Out of PS. Case No.-251 Year-2023 Thana- KAMTAUL District- Darbhanga

Raja Kumar son of Anil Sah Vill- Lakhanpur PS- Katra Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Karn, Advocate

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

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

ORAL ORDER

2 14-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kamtaul P.S. case No. 251 of 2023 instituted for the offences under Section 392 of the Indian Penal Code.

3. Prosecution case, in short, is that two unknown miscreants looted cash amounting to Rs. 15,000/-, mobile phone and motorcycle from the informant on the point of pistol.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of discloser made by one Sinod Kumar who is the owner of the garage from where the looted motorcycle was recovered. No incriminating/looted



article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted motorcycle. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.01.2024 and has two criminal antecedents but he is on bail in both the cases.

5. Learned A.P.P. 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 as also the period of custody undergone by the petitioner, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kamtaul P.S. case No. 251 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.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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