

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38923 of 2024

Arising Out of PS. Case No.-623 Year-2023 Thana- PAKARIBARAW District- Nawada

Saurabh Kumar (Male), aged about 24 years, Son of Amit Kumar @ Amit Kumar Mahto, Resident of village - Mahisona Khairi, P.S.- Tetarhat, Distt.- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Kumari Anupam, Advocate
For the Opposite Party : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 18-07-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Pakribarawan P.S. Case No. 623 of 2023 dated 24.12.2023 registered for the offence punishable under Section 394 of the I.P.C. Later on, Sections 395, 412 and 212/34 of the I.P.C. were also added.

3. As per the prosecution case, four unknown miscreants boarded on two motorcycles overtook the informant and his villager and forcibly looted Rs. 23,000/-, two mobiles, container machine for treatment of animal, medicines alongwith his motorcycle on the point of pistol and fled away from the spot.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. His name has come in the present case on the basis of the confessional statement of the co-accused Chandan Kumar. Nothing has been recovered from the possession of the petitioner. The petitioner was not identified during the course of T.I. Parade. The other co-accused Pandav Kumar has already been granted bail by a Bench of this Court vide Cr. Misc. No. 33291 of 2024 under order dated 08.05.2024. The petitioner has three criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 05.01.2024.

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 J.M. Ist Class, Nawada in connection with Pakribarawan P.S. Case No. 623 of 2023 with further condition:-



(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 bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

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

