

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36307 of 2024**

Arising Out of PS. Case No.-739 Year-2023 Thana- TAJPUR District- Samastipur

Sujit Kumar S/O RAM SHAROVAR RAY R/O VILLAGE- Mohanpur, Dholi
(Mirapur), P.S. Sakra, Dist. Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy
For the Opposite Party/s : Mr.Ramchandra Sahn

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

ORAL ORDER

2 10-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Tajpur
P.S. Case No. 739 of 2023 instituted for the offences under
Section 392 of the Indian Penal Code.

3. Prosecution allegation, in short, is that four accused
persons entered into the house of the informant and looted the
ornaments and cash of Rs. 1,50,000/- by breaking the godrej on
the point of pistol and fear. It is further alleged that three set of
mobile and Aadhar Card of the informant has also been taken



away by the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Petitioner is not named in the FIR and the same has been lodged against unknown persons. The name of the petitioner has come into light on the basis of confessional statement of co-accused Anish Kumar, which has got no evidentiary value in the eyes of law. The petitioner has got no concern with the alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has not been put on Test Identification Parade to ascertain his participation in the alleged occurrence. Charge-sheet has been submitted in this case. Moreover, it is submitted that the other co-accused has already been granted bail by this Court vide order dated 01.05.2024 passed in Cr. Misc. No. 33177 of 2024. The petitioner is in custody since 25.12.2023 and has no criminal antecedent.

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

6. Considering the facts and circumstances of the case as well as 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 Tajpur P.S. Case No. 739 of 2023.

(Rudra Prakash Mishra, J)

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