

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37175 of 2024

Arising Out of PS. Case No.-614 Year-2022 Thana- FORBESGANJ District- Araria

Shyam Sunder Kumar @ Shyam Kumar @ Pauwa Son of Triveni Yadav
Resident of village - Koriyapatti Ward No.- 12, Police Station - Jadia, District
- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Rajiv Nayan

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

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Forbesganj P.S. Case No. 614 of 2022 instituted for the offences under Sections 395 and 397 of the Indian Penal Code.

3. As per prosecution case, informant was accosted with five unknown miscreants while he was going to the Bank and on the point of pistol they snatched a bag containing Rs. 4 lakhs. It is further alleged that they have assaulted the informant by means of pistol butt.

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 merely on the basis of suspicion and due to his criminal antecedents. 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 01.04.2024 passed in Cr. Misc. No. 21891 of 2024. The petitioner has been remanded in this case from Forbesganj P.S. Case No. 646 of 2022 and he is in custody since 25.06.2022 and has eleven criminal antecedents.

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 **after framing of charge, if not already framed**, 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 Forbesganj P.S. Case No. 614 of 2022.

(Rudra Prakash Mishra, J)

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