

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37642 of 2024

Arising Out of PS. Case No.-149 Year-2022 Thana- NAUGACHIA District- Bhagalpur

Rohit Kumar @ Dingla Son of Pochu Sah @ Panchu Sah @ Panchu Swarnkar
Resident of Village- Dholbazza Bazar , P.S.-Dholbazza , Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.

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

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

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Naugachhia P.S. Case No. 149 of 2022 instituted for the
offences under Section 392 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
accused petitioner is of being involved in the loot of Rs.
13,500/- along with a Redmi mobile phone from the Informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is not named in the F.I.R. and his name has
surfaced in this case during investigation only on the basis of



suspicion. He further submits that on the basis of tower location of the looted mobile, one Mausam Kumar was apprehended with the looted mobile who disclosed that he has purchased the same from the petitioner. After disclosure of the name of the petitioner by one Mausam Kumar, the petitioner was remanded in this case on 10.11.2023. He further submits that except the statement of Mausam Kumar, there is nothing against the petitioner in the entire record. There is no eye-witness to the alleged occurrence. He further submits that nothing incriminating has been recovered from the physical or conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent and is languishing in judicial custody since 10.11.2023 without any rhymes or reason. The petitioner has been remanded in this case from another case as he was in judicial custody regarding Katihar Sahayak P.S. Case No. 169 of 2023. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner,



let the petitioner, abovenamed, 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 Naugachhia P.S.
Case No. 149 of 2022.

(Rudra Prakash Mishra, J)

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