

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39957 of 2024

Arising Out of PS. Case No.-204 Year-2023 Thana- JAMALPUR District- Munger

Bhola Kumar @ Dastakiya SON OF VINOD SAH RESIDENT OF
VILLAGE- AMBE CHOWK (BATA CHOWK), P.S.- KASIM BAZAR,
DISTT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Adv.

For the State : Mr.J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 24-09-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Jamalpur P.S. Case No. 204 of 2023 for the offences
punishable under Sections 394, 397 of the Indian Penal Code.

3. As per allegation, on 20.10.2023 at 03:30 A.M.,
when the informant woke up, he found that his mobile was not
in the room. When he started searching for his mobile, he found
one person standing near *Almari*, who started fleeing but was
apprehended by the informant. It is further alleged that another
person opened fire shot, which hit at the back of the informant.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. He has further submitted that nothing has been



recovered from his possession and the confessional statement before the police has no evidentiary value. He has also submitted that co-accused from whose possession, the mobile set was recovered, has been granted bail by the learned court below. The petitioner is under custody since 05.01.2024.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that the petitioner has criminal antecedents.

6. It appears that except confessional statement, there is nothing against the petitioner in the entire case diary.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Jamalpur P.S. Case No. 204 of 2023, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

8. Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any case other than the case as mentioned



in para-3 of the bail petition, his bail bond shall not be
accepted.

(Nawneet Kumar Pandey, J)

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