

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40701 of 2024

Arising Out of PS. Case No.-290 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

Mukesh Kumar, aged about 22 years, Son of Vishundeo Paswan @ Vishnudev Ram, Resident of Village-Chhotaki Chanda, P.S.-Koilwar, District- Bhojpur.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranjali Kumar, Advocate
Ms. Shweta, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 15-07-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Udwantnagar P.S. Case No. 290 of 2023 instituted for the offences punishable under Section 392 of the Indian Penal Code.

3. As per the prosecution case, the accused persons snatched the bag of the informant containing laptop, bio-metric machine and Rs. 55,430/-.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. Petitioner has not named in the FIR. Nothing has been recovered from the conscious possession of the petitioner. Petitioner's name surfaced in the



instant case on the basis of confessional statement of co-accused Sandeep Kumar. He further submits that investigation has already been completed and chargesheet has been submitted in this case as stated by learned counsel for the petitioner. Petitioner is in custody since 30.09.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-XIII, Bhojpur at Ara dated 18.04.2023, it appears that petitioner has not named in the FIR and his name surfaced in this case only on the basis of confessional statement of co-accused Sandeep Kumar. Similarly situated co-accused persons namely Sandeep Kumar and Chunnu Paswan @ Chunnu Kumar have been granted bail by this Court in Cr. Misc. Nos.24811 of 2024 and 15957 of 2024 vide orders dated 05.04.2024 and 19.03.2024, respectively, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Udwanthnagar P.S. Case No. 290 of 2023.

7. Further, if the petitioner shall not appear before the



learned trial Court for two consecutive dates without any valid reason, the bail bonds of the petitioner shall be cancelled by the trial Court.

(Ramesh Chand Malviya, J)

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