

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48886 of 2024

Arising Out of PS. Case No.-231 Year-2023 Thana- KHANPURA District- Samastipur

Raj Kamal @ Golu Son Of Ranjit Kumar Singh Village- Somnaha Ps-
Chakmeshi, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

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

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

ORAL ORDER

3 12-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Khanpur P.S. Case No.
231 of 2023, instituted for the offences punishable under
Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that, three
unknown miscreants entered the house of the informant and on
the point of pistol, took away Rs. 3.5 lacs from his mother.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner also submits that the petitioner is not named in the



F.I.R. and his name has transpired on the basis of self confession made before the police that he was present at the time of distribution of looted money and not during the commission of offence. There is no recovery of looted articles from the possession of the petitioner. No T.I.P. has been conducted in this case. The petitioner is in custody since 12.09.2023 and has got two criminal antecedents in which the petitioner is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 02.02.2024 passed in Cr. Misc. No. 4815 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khanpur P.S. Case No. 231 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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