

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41974 of 2024

Arising Out of PS. Case No.-455 Year-2023 Thana- KESARIA District- East Champaran

Karan Singh Son of Munna Singh R/O Vill.- Mohalla Gaytri Nagar, P.S.-
Town Motihari, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
Mr. Hemant Ray, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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

ORAL ORDER

2 24-06-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Kesariya P.S. Case No. 455 of 2023 instituted for the offence
under Section 394 of the Indian Penal Code.

3. The prosecution case, in short, is that, the
informant (driver) along with co-driver Mursalin proceeded on a
truck loaded with iron and when reached Mohammadpur
Chowk, in the meantime 3 - 4 intercepted the truck and the
miscreants also assaulted them. The miscreants snatched their
mobile phones and key of the truck, took out Rs. 22,000/- kept
in the truck and drove away the truck towards Khajuriya and left
the informant and co-driver at Bishunpur village.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 29-02-2024. Petitioner bears three criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Rajan Kumar. Nothing has been recovered from the possession of the petitioner. Other co-accused has been granted bail by this Court vide order dated 02-02-2024, passed in Cr. Misc. No. 4774 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Kesariya



P.S. Case No. 455 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)

Raj Kishore/-

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