

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43599 of 2024

Arising Out of PS. Case No.-334 Year-2023 Thana- MADHUBAN District- East Champaran

Nurain Alam @ Nurain Mansuri Son of Samim Miya @ Md. Shamim
Resident of village - Chorma, P.S.- Pakridayal, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Abhishek Kumar with Mr.Hemant Ray, Advocates
For the Opposite Party/s :	Mr.Akshay Lal Pandit, 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
Madhuban P.S. Case No. 334 of 2023 instituted for the offences
under Section 392 of the Indian Penal Code.

3. Prosecution allegation, in short, is that eight
unknown miscreants on the point of pistol looted motorcycle
and mobile of the informant and fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Petitioner is not named in the FIR and the same
has been lodged against unknown persons. The name of the
petitioner has come into light on the basis of confessional
statement of co-accused Prince Kumar. The petitioner has got no



concern with the alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has not been put on Test Identification Parade to ascertain his participation in the alleged occurrence. Charge-sheet has been submitted in this case. Moreover, it is submitted that the other co-accused has already been granted bail by this Court vide order dated 20.05.2024 passed in Cr. Misc. No. 36117 of 2024. The petitioner is in custody since 03.04.2024 and has one criminal antecedent.

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

6. Considering the facts and circumstances of the case as well as the period of custody undergone by the petitioner, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhuban P.S. Case No. 334 of 2023.

(Rudra Prakash Mishra, J)

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