

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45227 of 2024**

Arising Out of PS. Case No.-4 Year-2024 Thana- BEN P.S. District- Nalanda

- 
1. Rajeev Kumar S/O Late Awadhesh Yadav Resident Of Village -BISAMBHAR Bigaha(Daudpur), Ps-Noorsarai, District Nalanda
  2. Chintu Kumar S/O Raj Kumar Prasad Resident Of Village -BISAMBHAR Bigaha(Daudpur), Ps-Noorsarai, District Nalanda
  3. Rajesh Kumar S/O Sukhdeo Prasad Resident Of Village -MAKANPUR, Ps-Noorsarai, District Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Advocate  
For the Opposite Party/s : Mr. Murli Dhar, APP

---

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

ORAL ORDER

2      03-07-2024                      Heard learned counsel for the petitioners and  
learned APP for the State.

2. The petitioners seek bail in Ben P.S. Case No. 04 of 2024, instituted for the offences punishable under Section 394 of the Indian Penal Code.

3. The prosecution case, in short, is that, four unknown miscreants intercepted the informant, snatched his mobile phone, assaulted with fists and fled away from the spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material have been recovered from the conscious



possession of the petitioners. There is delay of seven days in lodging the F.I.R. The petitioners are not named in the F.I.R. Learned counsel for the petitioners further submits that name of petitioner nos. 2 and 3 have transpired from the confessional statement of petitioner no. 1 which has no evidentiary value. The petitioner no. 1 was arrested in Manpur P.S. Case No. 05 of 2024 and confessed about the crime along with petitioner nos. 2 and 3. The stolen mobile of the informant was recovered from petitioner no. 2. The petitioners are in custody since 13.03.2024 and have got one criminal antecedent in which the petitioners are on bail.

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

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ben P.S. Case No. 04 of 2024, 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)**

Rajorshi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

