

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44333 of 2024

Arising Out of PS. Case No.-71 Year-2022 Thana- PARSAUNI District- Sitamarhi

Ayush Kumar @ Suraj Kumar @ Suraj Son Of Umesh Prasad Village-
Dronpur Belahiya @ Draupur Belahiya, P.S.- Ahiyapur, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

**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
Parsauni P.S. Case No. 71 of 2022 instituted for the offences
under Section 392 of the Indian Penal Code and Section 27 of
the Arms Act.

3. As per prosecution case, some unknown persons on
the point of pistol snatched the money bag of the informant in
which Rs. 4,55,000/- was kept.

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 merely on the basis of suspicion. The petitioner has got no concern with the alleged occurrence. No incriminating/looted 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 08.04.2024 passed in Cr. Misc. No. 26052 of 2024. The petitioner is in custody since 18.01.2024 and has five criminal antecedents.

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 Parsauni P.S. Case No. 71 of 2022, 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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