

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46661 of 2024**

Arising Out of PS. Case No.-981 Year-2022 Thana- MOTIHARI TOWN District- East  
Champaran

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Abhishek Tripathi S/O Sunil Mani Tripathi @ Suneel Kumar Mani Tripathi  
R/O Mohalla- Raja Bazar Motihari, P.S- Motihari Town, Distt.- East  
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

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

ORAL ORDER

2      28-06-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Sessions Trial No. 867 of 2023 arising out of Town Motihari  
P.S. Case No. 981 of 2022 instituted for the offences under  
Section 395 of the Indian Penal Code.

3. The prosecution case, in short, is that five unknown  
miscreants entered into the Instakart Services Pvt. Ltd. at  
Deoraha Baba Chowk and, on the pistol point, looted an amount  
to the tune of Rs. 5,79,898/-.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case due to highhandedness of the police. He further submits that the petitioner has been arrested in this case mere on suspicion in connection with Chiraiya P.S. Case No. 551 of 2022 in which the petitioner has confessed his guilt and has also confessed in the involvement of the present case. Except self-confession, there is nothing against the petitioner in the entire record of this case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. No T.I.P. has been held in this case as yet. The petitioner has six criminal antecedents and is languishing in judicial custody since 13.03.2023 without any rhymes or reason. Charge has been framed in this case on 06.11.2023.

5. Learned counsel for the petitioner again submits that the co-accused namely Rana Pratap Yadav has been granted bail by this Court vide order dated 27.02.2024 passed in Cr. Misc. No. 11998 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Town Motihari P.S. Case No. 981 of 2022, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

**(Rudra Prakash Mishra, J)**

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