

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49114 of 2024

Arising Out of PS. Case No.-278 Year-2024 Thana- BIHTA District- Patna

Raj Kumar, S/O Ram Raj Prasad R/O Village- Simri Nawada, P.S- Bihta,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Usha Kumari Singh, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

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

ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and Ms. Renu
Kumari, learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in Bihta P.S. case No. 278
of 2024 instituted for the offences under Section 392 of the
Indian Penal Code.

3. Prosecution allegation, in short, is that four
unknown miscreants by covering their faces entered into the
Consumer Service Centre of S.B.I. of the informant and looted
Rs. 2,60,000/-.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has been arrested by the police in
connection with Bihta P.S. case No. 286 of 2024 on 21.03.2024



and has been remanded in this case on 15.04.2024 and since then he is in custody. The petitioner is not named in the F.I.R. Learned counsel for the petitioner submits that the recovered amount of Rs. 98,000/- from the house of the petitioner is the consideration amount received by the petitioner in connection with sale of land of the petitioner. Charge-sheet has been submitted in this case under Sections 395, 412 and 120B of the Indian Penal Code. During the investigation, nothing has come to prove that recovered amount is the same amount looted from the consumer service centre. The petitioner has three criminal antecedents as mentioned in paragraph 3 of the bail application in which he is on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Witnesses in different paragraphs of the case diary have supported the factum of loot. The petitioner has criminal antecedents and hence the petitioner does not deserve bail.

6. Considering the aforesaid facts and circumstances of the case and 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 Bihta P.S. case No. 278 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.

(III) The petitioner will not hamper the trial or temper with any prosecution evidence. If he is found involved in such incidence, the prosecution shall have liberty to take steps for cancellation of bail granted to the petitioner.

(Rudra Prakash Mishra, J)

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