

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48386 of 2024

Arising Out of PS. Case No.-59 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Shashank Raj @ Jonson S/o Lakshman Bhagat R/o Mohalla - Krishna toli,
Brahampura, P.S. - Brahampura, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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

ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Ahiyapur P.S. case No. 59 of 2024 instituted for the offences
under Sections 392 of the Indian Penal Code.

3. Prosecution case, in short, is that three unknown
miscreants snatched scooty, Mobile and a bag containing three
ATM Cards, PAN Card, on R.C. of other motorcycle, Driving
License and cash amounting to Rs. 17500/- from the informant
on the point of pistol and fled away.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner



transpired in this case during investigation on the basis of confessional statement of the co-accused Rahul Kumar. No any incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that T.I.P. has not been conducted till date. Learned counsel further submitted that the looted mobile phone of the informant has been recovered from the co-accused namely Ayush. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.02.2024 and has five criminal antecedents but he is on bail in all the cases.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State further submitted that petitioner is involved in many cases of similar nature and, therefore, does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case as also 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 Ahiyapur P.S. case



No. 59 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) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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