

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50438 of 2024

Arising Out of PS. Case No.-268 Year-2020 Thana- SARAIYA District- Muzaffarpur

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Bihari Kumar @ Bihari Ram SON OF RAMESH RAM @ UMESH RAM
VILLAGE- SIURI GOPINATHPUR, PS- SARAIYA, DIST-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pranav Kumar, Adv.
Mr.Rajeev Ranjan No. II, Adv.
For the Opposite Party/s : Mr.Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 13-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Saraiya P.S. Case No.268 of 2020 lodged under Section 394 of
the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against unknown accused persons against whom there is
allegation that they have looted laptop, motorcycle etc., of the
informant and fired upon him.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the F.I.R. has been lodged against unknown accused
persons. Nothing incriminating has been recovered from the



possession of the petitioner and he was not put on T.I.P.

5. Counsel further submits that the petitioner's antecedent is not clean. There are 3 criminal cases pending against him in which he is on bail in all cases. He further submits that the petitioner's name has figured in this case by virtue of confessional statement of co-accused persons. He further submits that in the case diary, recovery of the alleged material has been made. He submits that petitioner is in custody since 07.02.2024.

6. Counsel also submits that the co-accused, namely, Pintu Kumar has been granted bail by this Court vide order dated 26.07.2024 passed in Cr. Misc. No. 36853/2024.

7. Learned counsel for the State opposes the prayer for bail and submits that the petitioner's antecedent is not clean.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed** as well as on being satisfied by the trial court that the petitioner is not absconding in any of the cases which are pending against him whose details are mentioned below, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned



A.C.J.M.-IV, West, Muzaffarpur in connection with Saraiya P.S.
Case No.268 of 2020, subject to the following conditions as laid
down under Section 437(3) of Cr.P.C.

9. The details of the cases which are pending against
the petitioner, are as follows:-

- i. Saraiya P.S. Case No.270 of 2020.
- ii. Saraiya P.S. Case No.295 of 2020.
- iii. Saraiya P.S. Case No.99 of 2020.

(Dr. Anshuman, J.)

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