

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51315 of 2024

Arising Out of PS. Case No.-398 Year-2023 Thana- JOKIHAT District- Araria

Arjun Kumar @ Arjun @ Arjun Chaudhary, aged about 25 years, Male, son of Santhu Chaudhary, resident of Village- Lalia, Ward No.14, P.S.- Jokihat, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Singh, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 02-08-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Jokihat PS Case No.398 of 2023 dated 27.08.2023, instituted for the offence punishable under Section 392/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that the informant deals in vegetables. On 25.08.2023, at about 5.30 PM, the informant was returning home after realizing money of Rs.76,400/-. In the way, the petitioner along with other accused persons chased him from Pulsar motorcycle and on the point of pistol land sharp weapon, snatched the same amount from him as well as his mobile and fled away.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is also submitted that nothing has been recovered from the house of the petitioner. Only a motorcycle, which was used in the said crime, has been recovered from the house of the petitioner. Learned counsel further submitted that the said motorcycle does not belong to the petitioner, rather, the said motorcycle belongs to co-accused, Lukman. Besides this, nothing has been recovered from the house of the petitioner and co-accused, Lukman, from whose house looted amount was recovered, has been granted bail by a co-ordinate Bench of this Court by order dated 04.04.2024 passed in Cr. Misc. No.21830 of 2024.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the CJM, Araria, in Jokihat PS Case No.398 of 2023, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on



two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that 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.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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