

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56607 of 2024

Arising Out of PS. Case No.-297 Year-2023 Thana- TARIYANI CHOWK District- Sheohar

Rajesh Kumar, aged about 29 years, Male, Son of Shiva Chandra Mahto,
Resident of Village - Madrippur, P.S. - Minapur, District – 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. Kalyan Shankar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 19-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Tariyani P.S. Case No. 297 of 2023 instituted for the offences
punishable under Sections 356, 379, 392 and 411 of the Indian
Penal Code.

3. As per the prosecution case, two accused persons
on a motorcycle forcibly looted away Rs. 20,000/- along with
Redeme Mobile from the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case due to dirty village politics.
It is further submitted that nothing has been recovered from the
conscious possession of the petitioner. Petitioner has not put of
Test Identification Parade. He next submits that the petitioner



has got clean antecedent as stated in para 3 of the petition is in custody since 27.04.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and the impugned order of the learned Sessions Judge, Sheohar, Bihar dated 22.06.2024, it appears that petitioner is not named in the FIR and his name transpired in this case during the course of investigation. From perusal of the records, it also transpires that after four months of the occurrence petitioner has been arrested and the mobile which was recovered is ‘realme’ but the stolen mobile is ‘redeme’. It is also stated that the informant and the petitioner have compromised the matter in the trial Court and a certified copy of the said petition is also filed before this Court, So considering all these aspects of the matter, the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Chief Judicial Magistrate, Sheohar in connection with Tariyani P.S. Case No. 297 of 2023.

(Ramesh Chand Malviya, J)

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