

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54118 of 2024

Arising Out of PS. Case No.-95 Year-2024 Thana- SAUR BAZAR District- Saharsa

Sintu Kumar son of Shyam Sundar Yadav Village- Dighra OP Gailardh Ps-
Madhepura Sadar Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

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

ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Sour Bazar P.S. Case
No. 95 of 2024, instituted for the offences punishable under
Sections 392/34 of the Indian Penal Code and Section 27 of the
Arms Act.

3. The prosecution case, in short, is that, two
unknown persons riding on a motorcycle lashed with weapons
stopped the informant and assaulted him. One of the accused
person snatched cash of Rs. 19,982/- along with two mobile
phones on gun point and fled away while firing.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused Anuj Kumar and the same has got no evidentiary value. There is no recovery of looted articles from the possession of the petitioner. The petitioner has got no concern with the motorcycle in question. Only Rs. 1520/- has been recovered from the possession of the petitioner which belongs to him. Learned counsel for the petitioner further submits that no T.I. parade has been made in this case and no injury has been caused to the informant. The petitioner is in custody since 04.02.2024 and has got three criminal antecedents in which he is on bail in two cases.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account 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/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sour Bazar P.S. Case No. 95 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.

(Rudra Prakash Mishra, J)

Rajorshi/-

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