

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54049 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- Narhiya District- Madhubani

1. Akshay Kumar @ Bhola Son Of Ashok Rai @ Ashok Ray Resident Of Village - Chatrapatti, P.S. - Narahiya, District - Madhubani
2. Shiv Narayan Kumar @ Shivnarayan Kumar @ Tirka Son Of Late Satrugan Rai Resident Of Village - Chatrapatti, P.S. - Narahiya, District - Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Bharti, Advocate
For the Opposite Party/s : Mr. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 26-10-2024 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners seek bail in connection with Narahiya P.S. Case No. 24 of 2024, registered on 11.05.2024, giving rise to G.R. No. 654 of 2024 for the alleged offences under Section 394 of the Indian Penal Code.

03. As per prosecution case, a pick-up vehicle of the informant loaded with pigs worth of Rs. 2,40,000/- was looted by unknown miscreants at gunpoint. The robbers took away the mobile phones of informant and other persons who were with him on the pick-up van. The name of the petitioners transpired during investigation for being involved in the alleged robbery.



04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. No occurrence as alleged has ever taken place. Nothing incriminating has been recovered from the possession of the petitioners. The vehicle used in the crime is stated to be recovered at the instance of the petitioner Shiv Narayan Kumar but the same was recovered in front of the house of co-accused Bhogendra Kumar and the petitioners have no concern with the vehicle as they are neither the owner nor the driver of the said vehicle. The looted mobile phones were not recovered from the petitioners. The petitioners are in custody since 14.05.2024 and charge-sheet has been submitted. The petitioners are having antecedent of one case each in which they on bail.

05. Learned APP for the State opposes the prayer for bail of the petitioners. Learned APP submits that the looted vehicle was also recovered at the instance of petitioner Akshay Kumar whereas the vehicle used in the robbery was recovered at the instance of petitioner Shiv Narayan Kumar.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the period of custody of the petitioners along with submission of charge sheet, the petitioners above named are directed to be



released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Jhanjharpur, District-Madhubani in connection with Narahiya P.S. Case No. 24 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Ashish/-

U		T	
---	--	---	--

