

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55554 of 2024**

Arising Out of PS. Case No.-71 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

Shivam Kumar Son of Munni Lal Mahto R/O Vill.- Sambhupatti, P.s.-
Karpoorigram, Dist.- Samastipur, Bihar-848129

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Suman Kumari Singh, APP

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

ORAL ORDER

3 29-10-2024 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Samastipur Muffasil P.S. Case No. 71 of 2024, GR No. 542 of
2024 instituted for the offences under Section 392 of the Indian
Penal Code and charge-sheet has been submitted under Sections
392, 411 of the Indian Penal Code.

3. Prosecution case, in short, is that three-four
unknown miscreants are alleged to have looted the mobile
phone and wallet of the informant on gunpoint. It is further
alleged that wallet of the informant contained Rs. 19,600/- in
cash, Aadhaar Card, ATM Card and other important documents.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Mahesh Kumar. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted articles. It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.02.2024 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel further submitted that cash amounting to Rs. 46,700/- and mobile phone has been recovered from the house of this petitioner.

6. Considering the aforesaid facts and circumstances of the case as also 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Samastipur Muffasil P.S. Case No. 71 of 2024, GR No. 542 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)

Alok Verma/-

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