

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56383 of 2024**

Arising Out of PS. Case No.-72 Year-2024 Thana- MANJHAGARH District- Gopalganj

Rahul Kumar @ Sibbu @ Shibbu Son of Chandeshwar Sah Resident of Vill-  
Adampur, P.S.- Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shashank Shekhar, Adv.

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

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

ORAL ORDER

4      13-11-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Manjhagarh P.S. Case No. 72 of 2024 instituted for the offences  
under Section 394 of the Indian Penal Code.

3. As per prosecution case, while the Informant and  
one Lucky Kumar were returning from a Tilak ceremony, three  
unknown motorcycle-borne miscreants dashed them from  
behind and, thereafter, looted their Apache motorcycle, a mobile  
phone, cash and their silver chain at the gun point.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence as alleged  
against him and has falsely been implicated in the present case



merely on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner submits that the petitioner has been remanded in this case from Thave P.S. Case No. 62 of 2024 which was lodged for recovery of the looted motorcycle and is rotting in custody since 30.04.2024 for no fault of his own. No Test Identification Parade has been conducted by the prosecution to establish the guilt of the petitioner. The petitioner has no concern with the alleged recovery. Charge-sheet has been submitted in this case. The petitioner has three criminal antecedents and in all of them he is on bail.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Manjhagarh P.S.  
Case No. 72 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family  
members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall  
be properly represented on each and every date fixed by the  
court and shall remain physically present as directed by the  
Court and in the event of failure on two consecutive dates  
without sufficient reasons, his bail bond shall be liable to be  
cancelled by the court below.

**(Rudra Prakash Mishra, J)**

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