

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55649 of 2024

Arising Out of PS. Case No.-235 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

Rishu Kumar Son Of Prabhu Prasad Gupta @ Prabhu Prasad R/V- Village-
Dharmasamaj Chauk, Ps.- Town, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

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

ORAL ORDER

3 13-11-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Town
P.S. Case No. 235 of 2024 instituted for the offence under
Sections 356 & 379 of the Indian Penal Code.

3. Prosecution case as emanated from the FIR is that
unknown miscreant has snatched the gold chain of the informant
while she was returning from a party.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 11-05-2024. Petitioner
bears three criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Munna Singh, and the same has no evidentiary value in the eye of law. No incriminating article has been recovered from the possession of the petitioner. It is next submitted by learned counsel for the petitioner that petitioner was not put on T.I. Parade.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner in his confessional statement has confessed that he is a member of a chain snatching gang. It is next submitted that police after completion of investigation has submitted charge sheet in this case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Town P.S.



Case No. 235 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)

Raj Kishore/-

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