

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62368 of 2024

Arising Out of PS. Case No.-150 Year-2024 Thana- SINGHWARA District- Darbhanga

Amit Kumar Thakur @ Nepalo Son of Ram Dayal Thakur R/o Village-
Brahmpur, P.S.- Kamtaul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ugranath Mallik, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-09-2024 Heard Mr. Ugranath Mallik, learned counsel for the

petitioner and Mr. Mritunjay Kumar Nirala, learned Additional

Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Singhwara P.S. Case No. 150 of 2024
registered for the offence punishable under Section 394 of the
Indian Penal Code.

3. While the informant was going on his motorcycle
along with his co-worker, in the meantime, he was intercepted
by three miscreants, who were riding on a Pulsar bike. The
miscreants assaulted the informant and his co-worker by butt
of the pistol and snatched valuables and took away his
motorcycle.

4. Learned counsel for the petitioner submitted that



the FIR has been instituted against unknown miscreants. However, during the course of investigation, the name of the petitioner has sprung up on the confessional statement of the co-accused persons and, thereafter, he has been remanded in this case. Certain looted articles has been recovered from the possession of the co-accused persons. The motorcycle which was being used by the miscreants has been recovered from the possession of co-accused Vivek Kumar. The house of the petitioner was also raided, however, save and except, AC vacuum cleaner, no incriminating material has been recovered. Moreover, the aforesaid article was not the subject matter of the crime. It is lastly contended that the petitioner has not been put on T.I. parade, though the petitioner is in custody since 14.06.2024.

5. On the other hand, learned counsel for the State vehemently opposed the bail application and submitted that the petitioner bears two criminal antecedent and his name has been transpired on the confessional statement of the co-accused persons, from whose possession looted articles have been recovered.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the crime in



question is triable by the Magistrate and neither the petitioner has been put on T.I. parade nor any incriminating material has been recovered from his person or possession, let the petitioner, named above, 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 learned C.J.M., Darbhanga in connection with Singhwara P.S. Case No. 150 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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