

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60377 of 2024

Arising Out of PS. Case No.-130 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Samir Ahamad S/o- Arshad Ali R/O- Kataalpur, P.S- Baikunthpur, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Baikunthpur P.S. Case No. 130 of 2024 instituted for the offence
under Sections 379 of the Indian Penal Code.

3. Prosecution case in short is that while the
informant was returning towards his home, he was accosted
with 4-5 miscreants, who snatched the bag of the informant
containing Rs. 5,000/- cash and Aadhaar Card.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 21-05-2024. Petitioner
bears one criminal antecedent, 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, Mantu Kumar, and the same has no evidentiary value. It is submitted that looted motorcycle is recovered from the possession of the petitioner, but the motorcycle was borrowed by the petitioner from Kasif Zafar and he was oblivious of the fact that motorcycle was stolen. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner 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 Baikunthpur P.S. Case No. 130 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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