

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65871 of 2024

Arising Out of PS. Case No.-334 Year-2023 Thana- MADHUBAN District- East Champaran

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Takalu Sahani @ Ritesh Kumar Son of Sukhari Sahani @ Sukhadi Sahani
Resident of Village- Majhar Godhiya Tola, P.S.- Pakaridayal, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate

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

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

ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Madhuban P.S. Case
No. 334 of 2023, instituted for the offences punishable under
Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that, eight
unknown miscreants on the point of pistol looted cash of Rs.
5000/-, motorcycle and mobile phone of the informant and fled
away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused Prince Kumar and the same has got no evidentiary value. Neither any recovery of looted articles have been made from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner is in custody since 20.05.2024 and has got one criminal antecedent in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 20.05.2024 passed in Cr. Misc. No. 36117 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, 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/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Madhuban P.S. Case
No. 334 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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