

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70178 of 2024**

Arising Out of PS. Case No.-104 Year-2024 Thana- AGIAON District- Bhojpur

Subhash Kumar Son of Rambabu Yadav @ Ram Babu Singh Resident of  
Village- Ratnarh, P.S.- Agiaon (G), District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mrs.Gulnar Begum

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      07-10-2024                      Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with  
Agiaon (G) P.S. Case No. 104 of 2024 registered for the  
offences punishable under Section 392 of the IPC.

3. As per prosecution case, informant was returning  
Ara from Ratnarh village after collecting EMI of total Rs.  
1,03,471 of his company from Vinod Singh. It is alleged that  
when he reached near Suari Fall he saw two persons standing  
beside road and one motorcycle was also parked there. In the  
meanwhile, two persons came on motorcycle and stopped the  
informant's motorcycle and on the point of pistol they looted  
informant's bag which contained collected money and mobile  
of the informant. Thereafter, all the four accused persons fled



away.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name has been falsely implicated in this case on the basis of information supplied by the spy. He further submits that no incriminating article has been recovered from possession of the petitioner. No TIP has been conducted as yet. Petitioner is in custody since 28.06.2024 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Bhojpur at Ara in connection with



Agiaon (G) P.S. Case No. 104 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Alok Kumar Pandey, J)**

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