

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70871 of 2024

Arising Out of PS. Case No.-23 Year-2023 Thana- MANJHAGARH District- Gopalganj

Hari Kishore @ Doctor @ Hari Kishore Prasad S/o Rajendra Prasad Resident
of Village- Gopalpur, P.S- Bhagwanpur Hat, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

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

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

ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Manjhagarh P.S. Case
No. 23 of 2023, instituted for the offences punishable under
Section 394 of the Indian Penal Code.

3. The prosecution case, in short, is that, while the
informant was returning home in his Scorpio vehicle he was
intercepted by four unknown miscreants. They got him off the
Scorpio vehicle, slapped him and fled away with the Scorpio
vehicle. It is alleged that there was a mobile and a laptop in the
Scorpio vehicle.

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 during course of the investigation in self-confession of the petitioner and the same has got no evidentiary value. The Scorpio has not been recovered from the possession of the petitioner. The petitioner has been remanded in this case on 06.01.2024 and has got nine criminal antecedent in which he is on bail in six cases. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 20.12.2023 passed in Cr. Misc. No. 80566 of 2023.

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 and taking into account the period of custody undergone by the petitioner, 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 Manjhagarh P.S.
Case No. 23 of 2023, 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)

Rajorshi/-

U		T	
---	--	---	--

