

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74812 of 2024

Arising Out of PS. Case No.-189 Year-2024 Thana- BATHNAHA District- Sitamarhi

Rakesh Kumar S/o Late Rameshwar Mahto R/o Village- Latipur, Ward No.3,
P.S.- Bathnaha, District- Sitamarhi, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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

ORAL ORDER

2 22-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bathanaha P.S. Case No. 189 of 2024 nstituted for the offences
under Section 392 of the Indian Penal Code.

3. Prosecution case, in short, is that, on the alleged
date and time of occurrence, the informant was proceeding
towards Manjhauliya on his motorcycle. In the meantime, one
Rakesh Kumar (petitioner) requested the informant for a lift
and, consequently, he sat as a pillion on the motorcycle. It is
further alleged that when they reached near the Bamboo orchid,
three miscreants obstructed their way and looted the bag
containing the money amounting to Rs. 77,230/-. Informant



suspects that this petitioner was also involved in the alleged occurrence.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of suspicion. No incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that there is no specific allegation of committing robbery against the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted bag. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.05.2024 and has no criminal antecedent.

5. Learned A.P.P. 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, no specific allegation of committing robbery, clean antecedent as also 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Bathanaha P.S. Case
No. 189 of 2024.

Alok Verma/-
(Rudra Prakash Mishra, J)

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