

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74297 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- PATAHI District- East Champaran

Mithilesh Kumar Son of Babu Ram Raut Resident of village - Mahmadi, P.S.-
Patahi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ajay Kumar Jha, 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 Patahi
P.S. Case No. 106 of 2024 instituted 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, three miscreants boarded on
motorcycle came at the shop of the informant. It is further
alleged that one of them entered the shop of the informant and
looted the cash to the tune of Rs. 10,000-15,000/- and
threatened to kill him and, thereafter, all the accused persons
fled away.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of disclosure made by the co-villager. Learned counsel further submitted that although arms and ammunitions were recovered from the house of the petitioner, but no looted article has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.06.2024 and has two criminal antecedents.

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 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 Patahi P.S. Case No. 106 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)

Alok Verma/-

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