

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74715 of 2024

Arising Out of PS. Case No.-178 Year-2024 Thana- NAANPUR District- Sitamarhi

Papu Rai @ Pappu Rai S/O Nageshwar Rai R/O Village- Bathaul, P.S-
Bokhara, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arinjay Kumar, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, 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 Nanpur
P.S. Case No. 178 of 2024 instituted for the offences under
Section 392 of the Indian Penal Code.

3. As per prosecution case, two motorcycle-borne
miscreants who were chasing the Informant caused him to fall
on the ground by dashing the motorcycle of the Informant.
Thereafter, one miscreant pointed pistol over the Informant
while another took out the starter key and forcibly taken the bag
containing Rs. 1,70,000/- and fled away. It is further alleged that
the police party chased the miscreants whereafter seeing the
police, they fled away after leaving the motorcycle bearing



Regd. No. BR 06-CQ-3098. When the vehicle was verified, it was disclosed that the owner of the said motorcycle was Indal kumar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and his name has transpired in this case in course of investigation. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. No Test Identification Parade has been conducted in this case as yet. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent and is languishing in judicial custody since 06.06.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the police has recovered a country made pistol from the possession of the petitioner. The police has also recovered Rs. 30,000/- cash from his possession. The offence alleged is serious in nature and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Nanpur P.S. Case No. 178 of 2024.

(Rudra Prakash Mishra, J)

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