

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74868 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- CHAKIA District- East Champaran

Aman Kumar @ Aman Kumar Giri Son of Rakesh Giri Resident of Vilage -
Balmi Sirshiya, P.S. - Kalyanpur, District - East Champaran (Motihari)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, 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 Chakia P.S. Case No. 39
of 2024, instituted for the offences punishable under Section
392 of the Indian Penal Code.

3. The prosecution case, in short, is that, four
unknown miscreants came in two motorcycles and on the point
of gun looted Rs. 2,50,000/- and a mobile phone from the
informant and fled away from the spot.

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 on the basis of confessional statement of co-accused Avinash Kumar and the same has got no evidentiary value. It is also submitted that neither any looted article has been recovered from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner is in custody since 09.05.2024 and has got two criminal antecedents in which he is on bail.

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 Chakia P.S. Case No. 39 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)

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