

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78880 of 2024

Arising Out of PS. Case No.-194 Year-2024 Thana- GHOSI District- Jehanabad

Sikandar Kumar Son of Manoj Yadav @ Manoj Kumar R/o Village- Lala
Bigha PS -Makhdumpur Distt -Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Adv.

For the Opposite Party/s : Ms.Sangeeta Sharma, APP

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

ORAL ORDER

2 11-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Ghoshi
P.S. Case No. 194 of 2024 instituted for the offences under
Section 392 of the Indian Penal Code.

3. As per prosecution case, four miscreants, boarded
on two motorcycles, overtook the Informant and dashed him on
the ground and, on the point of pistol, they snatched his
motorcycle and ran away from there.

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
merely on the basis of suspicion. He further submits that as a



matter of fact, the petitioner was arrested in connection with Banabar Paryatan P.S. Case No. 51 of 2024 and, thereafter, his confessional statement was recorded in which he confessed his guilt and, merely on that basis, the petitioner has been implicated in the present case. Except confessional statement, there is nothing against the petitioner. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has also not been put on T.I. Parade uptill now. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has been remanded in this case on 19.07.2024 and, since then, he is in custody. The petitioner has three criminal antecedents. 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.

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 Ghoshi P.S. Case No. 194 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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