

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79221 of 2024

Arising Out of PS. Case No.-151 Year-2023 Thana- BITHAN District- Samastipur

Indal Kumar @ Indal Yadav S/O Suresh Yadav R/O Village-Kuwa, P.S. -
Bithan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, 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 Bithan
P.S. Case No. 151 of 2023, instituted for the offences punishable
under Sections 356 and 379 of the Indian Penal Code.

3. The prosecution case, in short, is that, when the
informant was on his way after collecting money, two unknown
miscreants dashed his motorcycle and one of them snatched bag
containing cash amounting to Rs. 76,877/-, ID Card, Pan Card,
mobile phone and other documents and fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that only one mobile phone has been recovered from the possession of the petitioner which he has purchased from someone else in good faith and has no knowledge that the said mobile is a stolen one. It is further submitted that the petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of his own confessional statement and the same has got no evidentiary value. No T.I. parade has been conducted in this case. The petitioner is in custody since 20.04.2024 and has got three criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 15.05.2024 passed in Cr. Misc. No. 36074 of 2024.

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, taking into account the period of custody undergone by the petitioner and claim based on parity, 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 Bithan P.S. Case No.
151 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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