

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81372 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- KUDHNI District- Muzaffarpur

Aman Kumar @ Bhanku @ Banku S/O Suryadeo Ray @ Surya Dev Rai R/O
Village- Madhopur Susta, Ps. Maniyari, Dist.Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Adv.

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

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

ORAL ORDER

4 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kudhani P.S. Case No. 14 of 2023 instituted for the offences
under Section 392 of the Indian Penal Code.

3. As per prosecution case, the allegation against the
petitioner is of being involved in looting of the motorcycle
bearing Regd. No. BR06AH/7627 of the Informant on the point
of pistol.

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
due to misconception of facts. He further submits that nothing



incriminating has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. and during course of investigation, his name has surfaced in this case. The petitioner has no concern with the alleged occurrence. The petitioner has four criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 23.02.2023. 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 from the impugned order, it appears that the name of the petitioner has come in this case during investigation when he was caught with the motorcycle in Maniyari P.S. Case No. 11 of 2023. The looted motorcycle has been recovered from the possession of the petitioner. The allegation against the petitioner is thus serious in nature and 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 Kudhani P.S. Case No. 14 of 2023 , 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.

(iii) The petitioner shall appear before the concerned police station every fortnight for six months to mark the attendance,

(iv) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(v) The petitioner shall desist from committing any criminal offence against, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

