

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80692 of 2024

Arising Out of PS. Case No.-139 Year-2022 Thana- KISHANGANJ District- Kishanganj

Sumit Kumar Bharti @ Chhotu Paswan @ Sumit Kumar Paswan Son of
Durganand Paswan Resident of Jhala, P.S. - Tedhagachh, District -
Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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

ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Kishanganj P.S. Case
No. 139 of 2022, instituted for the offences punishable under
Section 382 of the Indian Penal Code.

3. The prosecution case, in short, is that, two
unknown miscreants snatched a bag from the informant
containing cash of Rs. 70,000/-, RC of motorcycle along with
other articles 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 as well as Charge
has been framed 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 was not arrested on spot. Name of the petitioner has transpired on the basis of confessional statement of co-accused Sachin Gwala and the same has got no evidentiary value. No recovery of stolen articles have been made from the possession of the petitioner. It is further submitted that no T.I. parade has been conducted in this case. The petitioner is in custody since 27.06.2024 and has got three criminal antecedents in which he is on bail in all cases. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 31.08.2024 passed in Cr. Misc. No. 59916 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 Kishanganj P.S. Case
No. 139 of 2022.

(Rudra Prakash Mishra, J)

Rajorshi/-

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