

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82295 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- Patarghat District- Saharsa

Samdarshi Kumar @ Banti Kumar @ Sandarshi Kumar son of Shankar Yadav
village- Laxmipur, Ward no. 10, Ps- Patarghat, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No. 1, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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

ORAL ORDER

3 20-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Patarghat P.S. Case No. 137 of 2024 instituted for the offences under Sections 392, 411 of the Indian Penal Code and 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that three miscreants on the point of pistol looted mobile phone and cash amounting to Rs. 7,000/- from the informant and fled away. Later, on ruckus, the accused persons including the petitioner were identified with the help of the villagers.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The



name of the petitioner transpired in this case on the basis of suspicion. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted mobile phone or cash. It has been submitted on behalf of the petitioner that the petitioner is in custody since 01.07.2024 and has four criminal antecedents. The co-accused person has already been granted bail by this Court vide order dated 18.11.2024 passed in Cr. Misc. No. 79805 of 2024.

5. Learned A.P.P. 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 as also 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Patarghat P.S. Case No. 137 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)

Alok Verma/-

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