

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81660 of 2024

Arising Out of PS. Case No.-338 Year-2024 Thana- DHAKA District- East Champaran

Himanshu Kumar @ Himanshu Singh S/o Birendra Singh @ Virendra Singh
Resident of village- Hasanpur tola Bairiya, P.S.- Kundwa Chainpur, Distt.-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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

ORAL ORDER

2 03-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Dhaka
P.S. Case No. 338 of 2024 instituted for the offences under
Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that three bike borne
miscreants, on the gunpoint, looted the motorcycle of the
informant along with bag containing cash amounting to Rs.
3,750/-, ID Card, PAN Card, ATM Card, mobile phone and
other documents and fled away.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case on the basis of confessional statement of



the co-accused Neeraj Kumar. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that T.I.P. has not been conducted till date. Learned counsel further submitted that petitioner has got no concern with the motorcycle in question. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.09.2024 and has four criminal antecedents.

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 Dhaka P.S. Case No. 338 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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