

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.86830 of 2024**

Arising Out of PS. Case No.-358 Year-2024 Thana- SUGAULI District- East Champaran

Alok Kumar Son of Sitaram Ram R/V- Matariya, PS- Harsidhi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kundan Rathore@ Kundan Kumar, Advocate  
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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

ORAL ORDER

2      19-12-2024      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in connection with Sugauli P.S. Case No. 358 of 2024, instituted for the offences punishable under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, when the informant was on his way along with his father on his motorcycle, at that time, four unknown miscreants accosted them and looted the motorcycle of the informant.

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 the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the



basis of confessional statement made by co-accused, namely, Gunjan Paswan and Viveka Nand and the same has got no evidentiary value. It is further submitted that the motorcycle has been recovered from the possession of co-accused, namely, Viveka Nand. Neither any recovery has been made from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner is in custody since 25.08.2024 and has got no criminal antecedent.

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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sugauli P.S. Case No. 358 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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