

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86161 of 2024

Arising Out of PS. Case No.-656 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Goldi @ Goldi Kumar @ Sajjan Kumar @ Sanjan kumar S/O Late Vinod
Mandal R/O Village- Batraha, ward no.- 33, P.S and district Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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

ORAL ORDER

2 17-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Saharsa
Sadar P.S. Case No. 656 of 2024 instituted for the offences
under Sections 341, 504, 506, 385, 387, 307, 379, 34, 323 of the
Indian Penal Code.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of snatching
Informant's gold chain worth Rs. 35,000/-. It is alleged that the
accused persons also assaulted the Informant by means of butt
of three-nut, causing head injuries. The accused persons also
demanded Rs. 1 lakh as extortion from the Informant.

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. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. He further submits that the date of occurrence is 25.06.2024 whereas the F.I.R. was instituted on 02.07.2024 i.e. after an inordinate delay of seven days which creates doubt in the prosecution case. In course of investigation, not a single independent witness has supported the version of the Informant. Charge-sheet has been submitted in this case under Sections 341, 323, 385, 387, 379, 504, 506/34 of the I.P.C. The petitioner has no concern with the alleged occurrence. The petitioner has altogether six criminal antecedents and is languishing in judicial custody since 29.07.2024 without any rhymes or reason.

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 the offence alleged against the petitioner is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, there being no specific allegation against the petitioner and 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 Saharsa Sadar P.S. Case No. 656 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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