

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3600 of 2024

Arising Out of PS. Case No.-261 Year-2023 Thana- MURLIGANJ District- Madhepura

Suman Kumar Son of Amrendra Yadav @ Pramod Yadav Resident of Village - Shishwapatti, Sukhasan, Ward No.08, P.S. - Gwalpara (Arar O.P.), District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Neetu Jha, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Murliganj P.S. Case No. 261 of 2023, instituted for the offences punishable under Sections 392/411 of the Indian Penal Code and Sections 25(1-B)a/26/35 of the Arms Act.

3. The prosecution case, in short, is that the accused persons including this petitioner snatched Rs. 500/- and mobile phone from the informant on gun point. On alarm, one co-accused person namely Bikram Kumar was apprehended by the local police whereas others including this petitioner managed to flee away.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of suspicion. The name of the petitioner has been disclosed on the basis of confessional statement made by the apprehended person namely Bikram Kumar who has already been granted bail by a Co-ordinate Bench of this Court vide order dated 03.11.2023 passed in Cr. Misc. No. 70580 of 2023. The petitioner has not been arrested by the police at spot nor identified by any independent witnesses. Nothing has been recovered from the possession of the petitioner. No overt act is alleged against this petitioner. The petitioner has no any criminal antecedent as has been stated in paragraph no. 3 of the present bail application. The petitioner is languishing in judicial custody since 03.09.2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case, 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 Murliganj P.S. Case
No. 261 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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