

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3230 of 2024

Arising Out of PS. Case No.-75 Year-2023 Thana- BHAGWANPUR District- Vaishali

Prince Kumar son of Late Amod Rai Village- Senduari Ps- Sadar Hajipur
Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Shankar Prasad, Advocate

For the Opposite Party/s : Mr. Sharda 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 connection with
Bhagwanpur P.S. case No. 75 of 2023 instituted for the offences
under Sections 392 and 411 of the Indian Penal Code.

3. Prosecution case, in short, is that when the
informant along with his brother was returning home on his
motorcycle, two miscreants stopped the informant and his
brother and looted the said motorcycle, on the point of pistol.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 18.05.2023 and has eight
criminal antecedents but he is on bail in five cases. The
petitioner has falsely been implicated in the present case merely
on the basis of suspicion. Nothing has been recovered from the
conscious possession of the petitioner rather the said motorcycle
was recovered from an open place. No specific overt act is



alleged against the petitioner. Learned counsel further submitted that as per the FIR the informant can identify the accused persons but the petitioner was never put on T.I.P.

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 Bhagwanpur P.S. case No. 75 of 2023, 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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