

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33 of 2024

Arising Out of PS. Case No.-416 Year-2023 Thana- GOPALPUR District- Bhagalpur

Shivam Kumar Singh @ Shivam Kumar Son of Sanjay Singh @ Sanjay Kumar resident of village- Dharhara, P.S.- Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-01-2024 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Gopalpur P.S. case No. 416 of 2023 instituted for the offences under Section 392 of the Indian Penal Code.

3. Prosecution allegation, in short, is that three unknown persons boarded on a motorcycle looted mobile phone and scooty of the informant on the point of pistol.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.08.2023 and has two criminal antecedents but he is on bail in all the cases. Charge-sheet has been submitted in this case. The name of the petitioner came into light during investigation only on the basis



of confessional statement of the co-accused. No specific overt act is alleged against the petitioner. No incriminating material has been recovered from the possession or from the house of the petitioner. Learned counsel further submitted that Test Identification Parade has been conducted but the informant failed to identify the petitioner in the 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 Gopalpur P.S. case No. 416 of 2023.

(Rudra Prakash Mishra, J)

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