

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1663 of 2025

Arising Out of PS. Case No.-85 Year-2024 Thana- MIRGANJ District- Purnia

Swatantra Kumar Singh @ Kittu Singh @ Swatantra Singh Son of Ashish
Singh Resident of Chandwa Rupaspur Ward No. 5, P.S. - Mirganj, District -
Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

2 22-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Mirganj P.S. Case No. 85 of 2024 instituted for the offence
under Section 309(6) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in a nutshell that informant was
accosted with three unknown miscreants who have assaulted
him by means of bamboos and taken away his motorcycle, cash
of Rs.4,500/- and mobile phone.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 24-09-2024. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, '*Sikandar Kumar*'. Nothing has been recovered from the possession of the petitioner. Learned counsel goes on to submit that recovery of looted motorcycle is made from the possession of co-accused, namely, '*Sikandar Kumar*'. It is lastly submitted that charge sheet has been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Mirganj
P.S. Case No. 85 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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