

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1833 of 2025

Arising Out of PS. Case No.-188 Year-2024 Thana- MAKER District- Saran

Santosh Kumar @ Santosh Kumar Bhagat Sri Arun Kumar Bhagat @ Arun Kumar @ Arun Bhagat Village- Bahilwara Rupnath Uttari PS- Saraiya District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate

For the Opposite Party/s : Mr. Madan Kumar, 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 Maker P.S. Case No. 188 of 2024, instituted for the offences punishable under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, four unknown persons have committed robbery in the flour mill of the informant and took away his PAN card, AADHAAR card, cash of Rs. 16,000/-, mobile phone and another mobile phone of his associate namely, Vishal Kumar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of allegation that he has been found using the mobile phone of the informant. The petitioner is in custody since 27.07.2024 and has got two criminal antecedents.

5. Learned APP 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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Maker P.S. Case No. 188 of 2024, 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)

Rajorshi/-

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