

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2768 of 2025

Arising Out of PS. Case No.-41 Year-2024 Thana- DARAUNDA District- Siwan

Prithwi Kumar S/O Ram Udar Prasad Resident of Village- Saryupar, P.S-
Daudpur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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

ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Daraunda P.S. Case No. 41 of 2024, registered for the offences
punishable under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that, four
unknown persons armed with pistol entered into the counter of
C.S.P. and on the point of pistol looted Rs. 2,50,000/- from the
counter along with some pass-books and Aadhar Cards.
Thereafter, all the accused persons fled away riding on their
motorcycles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Learned counsel for the petitioner also submits that neither the petitioner was present at the place of occurrence, nor the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of his self-confessional statement recorded in G.B. Nagar PS Case No. 104 of 2024, the same has got no evidentiary value. The petitioner has got seven criminal antecedents and is in custody since 06-05-2024. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court *vide* order dated 04.09.2024 passed in Cr. Misc. No. 61595 of 2024.

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, period of custody of the petitioner, manner of petitioner's implication 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Daraunda P.S. Case No. 41 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)

Raj Kishore/-

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