

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11403 of 2025

Arising Out of PS. Case No.-356 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champanan

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Lalan Kumar Son of Ramprit Rai village- Semra, Ps- Muffasil, Dist- East
Champanan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.

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

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

ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S. Tr.
No. 567 of 2024 arising out of Motihari Muffasil P.S. Case No.
356 of 2023 instituted for the offence under Section 392 of the
Indian Penal Code (for brevity ‘the IPC’). Subsequently,
Sections 395 & 411 of the IPC was added.

3. As per prosecution case, informant was accosted
with 3-4 miscreants while he was on his way. Thereafter, they
assaulted him by fist and slap and snatched his motorcycle,
mobile, Rs. 5,000/-, smart watch and driving license and fled
away.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 07.07.2023 and he bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the present bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case merely on the basis of suspicion. The petitioner is not named in the FIR. Name of the petitioner has surfaced in this case during course of investigation on the confessional statement of the co-accused Navin Kumar. The petitioner has been remanded in this case from Muffasil P.S. Case No. 377 of 2023. No T.I. Parade has been conducted in this case. The Informant is not the eye-witness to the alleged occurrence. There is no direct or indirect evidence against the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. Charge sheet has already been submitted in this case.

6. Learned counsel for the petitioner again submits that the co-accused namely Navin Kumar has been granted bail by this Court vide order dated 26.02.2024 passed in Cr. Misc. No. 11846 of 2024.

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



8. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and the fact that charge sheet is submitted, this Court is inclined to grant bail to the petitioner.

9. 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 S. Tr. No. 567 of 2024 arising out of Motihari Muffasil P.S. Case No. 356 of 2023.

(Rudra Prakash Mishra, J)

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