

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28988 of 2025

Arising Out of PS. Case No.-97 Year-2024 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Sujeet Kumar Son of Raj Kumar Mahto Resident of Village - Ward No. 38,
N.H. 31, Near Durga Asthan, Mahamadpur, Mahammadpur, P.S. - Nagar,
District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 07-08-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 97 of 2024 instituted for the offences
under Section 392 of the Indian Penal Code.

3. As per prosecution case, while the Informant was
returning from *Shraddha* work, three persons came from behind
on a bike and surrounded him and snatched the motorcycle and
a mobile from him and fled away from there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
merely on the basis of suspicion. The petitioner is not named in
the F.I.R. and has been arrested merely on the basis of suspicion.



He further submits that nothing incriminating/looted article has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted but, no Test Identification Parade has been conducted as yet. There is no eye-witness to the alleged occurrence. Not a single person has come forward showing the petitioner to be indulged in the alleged occurrence. The name of the petitioner has come on the basis of the confessional statement of the co-accused Deewana Kumar recorded before the police which has no evidentiary value in the eye of law. The alleged looted motorcycle has been found abandoned at Lalu Nagar. The petitioner has no concern with the alleged occurrence. The petitioner has altogether ten criminal antecedents and is languishing in judicial custody since 28.09.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The petitioner has ten criminal antecedents and, thus, the petitioner has chequered history of committing crimes. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner for offence under Sections 395/412 of the Indian Penal Code.



6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. Case No. 97 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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