

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25407 of 2025

Arising Out of PS. Case No.-86 Year-2023 Thana- MOTIPUR District- Muzaffarpur

Atish Kumar S/O Late Manoj Sah R/O Vill.- Shivnagar Rakasiya, P.S.- Runni Saidpur, Dist.- Sitamarhi, At Present R/O Mohalla- Balughat, Near Rajnarayan Singh College, P.S.- Sikandarpur, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 04-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Motipur P.S. Case No. 86 of 2023 instituted for the offences under Section 394 of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case, in short, is that, informant was accosted by two unknown miscreants, who, on the point of pistol, looted his motorcycle, mobile phone and bag. It is further alleged that one accused fired upon the informant which hit him on his thigh.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Premchand Kumar, who has already been granted bail by this Court vide order dated 12.07.2024 passed in Cr. Misc. No. 48490 of 2024. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that T.I.P. has not been conducted till date. Learned counsel further submitted that petitioner has got no concern with the looted articles. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.03.2024 and has four criminal antecedents.

5. Learned A.P.P. 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, claim based on parity as also 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Motipur P.S. Case
No. 86 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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