

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26480 of 2025

Arising Out of PS. Case No.-64 Year-2022 Thana- AKBARNAGAR District- Bhagalpur

Rishi Sharma @ Rishi Raj Sharma Son of Manoj Kumar Sharma Resident Of
Village -Mahota Paidapur, Ps -Amarpur, Ps- Amarpur, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

4 04-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Akbarnagar P.S. Case No. 64 of 2022 instituted for the offence under Section 392 of the Indian Penal Code (for short 'IPC').

3. As per prosecution case, the informant's motorcycle, mobile and bag containing ATM card snatched by the four miscreants aged about 20-25 and when informant protested them, they threatened to kill him. It is further alleged that through ATM card, they withdrew Rs.1500 at 08:01 AM, Rs.4000/- at 08:16 AM and Rs.3000/- at 08.18 A.M.

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



case. The petitioner is not named in the FIR and the name of the petitioner transpired in this case during investigation. Except confessional statement of co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. The petitioner is languishing in custody since 04.09.2025 and bears criminal antecedent of seven cases. No incriminating article has been recovered from the conscious possession of the petitioner. He submits that the petitioner has not been put on T.I. Parade till date. He further submits that charge sheet has been submitted in this case. Other co-accused has been enlarged on bail by a Co-ordinate Bench of this Court vide order dated 22-12-2023, passed in Cr. Misc. No. 79756 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to the impugned order, it is submitted that recovery is made from the possession of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after*



framing of charge, if not already framed, 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 Akbarnagar P.S. Case No. 64 of 2022, 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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