

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34241 of 2025

Arising Out of PS. Case No.-239 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Prince Kumar @ Khalnayak S/O Avadesh Kumar Chaudhari R/O Ward No. 04, Babupur Mukhtarpur Salkhani, P.S- Dalsingh Sarai, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-06-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The present criminal miscellaneous application has been filed for grant of regular bail to the petitioner who is in custody in connection with Bibhutipur P.S. Case No. 239 of 2023, lodged on 06.07.2023, under Section 394 of the I.P.C.

3. As per the prosecution, informant has narrated that four accused persons reached by two motorcycles and on pistol point snatched Rs.1,66,000/- from the informant.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the victim went with the petitioner with consent. Counsel further submits that petitioner is not named in the F.I.R. and the name of the petitioner has come in this case



only by virtue of the confessional statement of the co-accused. He submits that no recovery has been made from the petitioner's possession and petitioner was not put on TIP. Counsel submits that the criminal antecedent of the petitioner is not clean. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him. He further submits that petitioner is in custody since 04.09.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that name of the petitioner has come in this case only by virtue of the confessional statement of the co-accused and on the basis of confessional statement used motorcycle Desi Katta, two empty cartridges has been recovered, which was subject to loot.

6. In this background, this Court is not inclined to enlarge the petitioner on bail in connection with Bibhutipur P.S. Case No. 239 of 2023 pending in the court of learned S.D.J.M., Rosera, Samastipur.

7. Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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