

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39286 of 2025

Arising Out of PS. Case No.-392 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Ram Pravesh Mahto @ Ram Pravesh Kumar Son of Late Shivji Mahto
Resident of Village- Bela Pachgachhiya, PS- Ahiyarpur, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

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

3. Prosecution case in short is that while the
informant was on his way, he was accosted with three unknown
miscreants, who on the point of pistol took away Rs. 11,200/-, a
mobile phone and also transferred Rs. 20,000/- to an UPI.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 05.03.2025. Petitioner
bears six criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired during course of investigation on the basis of disclosures made by the co-accused Santosh Kumar and Sachin Kumar. No incriminating article has been recovered from the possession of the petitioner. The confessional statement of the co-accused recorded before the police has no evidentiary value in the eye of law and, except this, there is nothing against the petitioner in the entire record of the case. The petitioner was arrested in Ahiyapur P.S. Case No. 1616 of 2024 and, thereafter, was remanded in the present case. Petitioner was not even put on T.I. Parade. Cognizance is taken in this case. Learned counsel for the petitioner again submits that the co-accused namely Indrajeet Kumar has been granted bail by this Court vide order dated 10.04.2025 passed in Cr. Misc. No. 2652 of 2025.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and the prayer for bail being based on parity, 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 Ahiyapur P.S. Case No. 392 of 2024, 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)

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