

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74276 of 2024

Arising Out of PS. Case No.-176 Year-2024 Thana- ISUAPUR District- Saran

Akhilesh Kumar Rawat @ Akhilesh Kumar, Son of Chhatilal Rawat, Resident
of Village- Bengali Patti, P.O.- Maricha, P.S.- Sahajitpur, Distt.- Saran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahtab Alam, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 18-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Isuapur
P.S. Case No. 176 of 2024 dated 26.07.2024, instituted for the
offence punishable under Sections 309(6) of the Bharatiya Nayay
Sanhita, 2023.

3. The prosecution case, in short, is that on the alleged
date and time of occurrence, the informant was returning to his
home with his e-rickshaw. In the way, three unknown persons
with a motorcycle surrounded him and on the point of pistol, they
snatched his mobile phone and Rs. 10,300/-. It is also alleged that
they also assaulted the informant by means of butt of the pistol.

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



case. Learned counsel for the petitioner submits that the F.I.R. has been lodged against three unknown persons. Only on the basis of suspicion and recovery of stolen mobile phone, the petitioner has been made accused in this case. Learned counsel for the petitioner further submits that the occurrence took place on 19.07.2024 and the present F.I.R. has been lodged on 26.07.2024 i.e. after six days of the occurrence without any plausible explanation. It is also submitted that the petitioner has not been put on T.I.P. till date. Lastly, it has been submitted that the petitioner is in custody since 27.07.2024 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra, District-Saran in connection with Isuapur P.S. Case No. 176 of 2024, , subject to the following conditions:-

I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

premchand/-

U		T	
---	--	---	--

