

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79827 of 2024

Arising Out of PS. Case No.-345 Year-2024 Thana- SITAMARHI District- Sitamarhi

Prabhu Bhagat S/O Late Mahendra Bhagat Resident of Village- Madanpur,
Ward No. 5, P.S.- Parsauni, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

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

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

ORAL ORDER

3 13-02-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Sitamarhi P.S. Case No. 345 of 2024 instituted for the offence
under Sections 394 & 397 of the Indian Penal Code and Section
27 of the Arms Act.

3. As per prosecution case, informant was attacked by
three armed miscreants on a motorcycle while waiting near a
college on 06-06-2024. They attempted to snatch his bag, and
upon resistance, they shot him in the right palm before fleeing
with his belongings. His uncle later arrived and took him to the
hospital, leading to the registration of the present FIR.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 12-07-2024. 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 on the basis of confessional statement of co-accused, namely, Jai @ Jack Kejriwal. It is next submitted that petitioner was not put on T.I.P. Nothing has been recovered from the possession of the petitioner. There is no allegation of firing against the petitioner, as per confessional statement of co-cussed, namely, Jack Kejriwal. Learned counsel for the petitioner next submits that police after investigation has already submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to paragraph Nos. 6, 7 & 10 of the case diary, it is submitted that witnesses have supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner 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 Sitamarhi P.S. Case No. 345 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)

Raj Kishore/-

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