

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90109 of 2024

Arising Out of PS. Case No.-246 Year-2024 Thana- RIGA District- Sitamarhi

Harshwardhan Jha @ Harsh Kumar S/O Manvendra Jha Resident of Village-
Bakhari, P.S- Riga, District- Sitamarahi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this present case, the petitioner seeks bail in connection with Riga P.S. Case No. 246 of 2024 registered for the offences under Section 309(6) of the B.N.S.

3. As per prosecution case, four miscreants surrounded the informant and dashed their motorcycle with his motorcycle and assaulted him with knife. Bleeding started and the miscreants snatched the motorcycle of the informant, gold chain worth Rs. 1,50,000/- and Rs. 22,000/- from the informant. The name of the petitioner transpired during investigation for being involved in the robbery.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. No offence as alleged has ever taken place. The name of the petitioner transpired in this case on the basis of confessional statement of co-accused Krishna Kumar and no recovery has been made from this petitioner. No Test Identification Parade has been conducted till date. Petitioner is having antecedent of two cases and in one of the cases he has been acquitted and in the second case the petitioner has not been taken on remand as he was not named in the said FIR. Petitioner is in custody since 07.09.2024 and charge-sheet has been submitted.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner and other co-accused persons stabbed the informant and snatched his motorcycle and valuable from the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of material against the petitioner to connect him with the offence as alleged and also considering the period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned ACJM-VI,



Sitamarhi/concerned court in connection with Riga P.S. Case No. 246 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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