

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17710 of 2022

Arising Out of PS. Case No.-579 Year-2020 Thana- AHYAPUR District- Muzaffarpur

GAURAV KUMAR Son of Subodh Kumar Jha @ Subodh Kumar Resident of
Village - Mangeya Dharampur, P.S.- Siwaipatti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh, Adv
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 27-04-2022 Heard learned counsel for the parties.

Earlier bail of the petitioner was rejected vide order dated 02.03.2022 passed in Criminal Miscellaneous No. 10281 of 2022, with liberty to renew his prayer for bail after framing of charge.

Petitioner seeks bail in a case registered for the offence punishable under Sections 394 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, three miscreants on the gun point snatched informant's motorcycle and mobile phone, while



one of them fired on the informant who was apprehended and disclosed his name as Tullu Kumar. Said Tullu Kumar disclosed the name of the petitioner as his accomplice.

Learned counsel for the petitioner submits that charge has already been framed in this case on 09.03.2022. The name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Tullu Kumar. No incriminating material has been recovered from the conscious possession of the petitioner. Till date TIP of the petitioner has not been conducted. Similarly situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 22.11.2021 passed in Criminal Miscellaneous No. 47058 of 2021.

Petitioner is in custody since 29.08.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **S.Tr. No. 200 of 2021 arising out of Ahiyapur P.S. Case No. 579 of 2020**, with following conditions:-

- (1) Both the bailors shall be the resident of territorial jurisdiction of the learned court-below.
- (2) The petitioner shall fully cooperate



with the investigation / trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(S. Kumar, J)

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