

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3246 of 2023

Arising Out of PS. Case No.-854 Year-2022 Thana- BARACHATTI District- Gaya

SAURABH KUMAR @ GUDDU KUMAR (male), aged about 27 years,
Son of Umesh Prasad Yadav Resident of Village - Shimra, P.S.- Mohanpur,
District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No.2, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Barachatti P.S. Case No. 854 of 2022 dated 22.09.2022
registered for the offence(s) punishable under Section(s) 395 of
the Indian Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is a young
person having fair and clean antecedent, as per the prosecution
the looted truck which was laden with coal was recovered near
the house of the petitioner but in fact the petitioner himself is a
victim as he had paid the entire money for supplying the coal to
one Guddu Kumar and the seized coal was purchased by the



petitioner and he has been languishing in jail since 23.09.2022 and against him the investigation has been completed.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Heard both the sides, perused the FIR and order impugned. Though the instant matter relates to dacoity committed in respect of the informant's truck but as the looted truck has been recovered and petitioner has fair and clean antecedent and has been languishing in jail since 23.09.2022, so in view of these facts, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail, **after framing of charge, if the same has not been framed**, in connection with Barachatti P.S. Case No. 854 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Sanjay/-

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