

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7173 of 2023

Arising Out of PS. Case No.-263 Year-2019 Thana- MITHANPURA District- Muzaffarpur

Prashant Gaurav, Son of Sujit Kumar @ Sujit Singh, Resident of Village-
Gopalpur Rajaram, P.S.- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Mithanpura P.S. Case No. 263 of 2019 for the alleged offences under Section 392 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, four miscreants entered into the office of the finance company of the informant and threatening him with pistol, they took away Rs. 10,000/- to 20,000/- and also mobile phones of the informant and another staff. During investigation, the name of the petitioner surfaced as one of the accused persons.

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



case. FIR has been registered against unknown and nothing incriminating has been recovered from the possession of the petitioner. The petitioner has not been put to any Test Identification Parade. Petitioner was arrested in Kudhani P.S. Case No. 323 of 2020 and thereafter he has been remanded in a number of cases including the present one. The petitioner is in custody since 03.07.2020 and charge-sheet has been submitted.

5. Learned APP opposes the prayer for bail submitting that the petitioner is having long criminal history and is accused in a number of cases.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Muzaffarpur East/ court concerned in connection with Mithanpura P.S. Case No. 263 of 2019, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the 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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