

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12694 of 2023

Arising Out of PS. Case No.-379 Year-2022 Thana- GAYA RAIL P.S. District- Gaya

ASHOK RAJBHAR @ BABA @ ARBIND RAJBHAR S/O BHIRJANATH
RAI Resident of Village- Raksa, P.S.- Dildar Nagar, District- Gajipur (U.P.).
... .. Petitioner/s

Versus

The State of Bihar ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 24-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 394, 395, 397, 412 of the Indian Penal Code.

As per prosecution case, when informant was returning from Gaya and reached at Ismailpur Railway Station then two unknown miscreants came near the informant and caught hold his hand and another two persons started assaulting him. It is further alleged that on pistol point they looted cash of total Rs. 1,45,000/- one mobile and other articles from the informant and fled away.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of



suspicion. Neither the petitioner is named in the FIR nor he was put on TIP. Rather, the recovered cash of total Rs. 5,000/- belongs to the petitioner. He has got no criminal antecedent. Similarly situated co-accused has already been granted bail by this Court vide order dated 03.05.2023 passed in Cr. Misc. No. 9667 of 2023. It is further submitted that petitioner has got no criminal antecedent and is languishing in judicial custody since 25.09.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gaya Rail P.S. Case No. 379 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Gaya.

(Sunil Kumar Panwar, J)

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