

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23189 of 2022

Arising Out of PS. Case No.-227 Year-2021 Thana- CHAUTHAM District- Khagaria

GAURAV KUMAR S/o Sarik Yadav R/o village- Thatha, P.S.- Mansi,
District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 394 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that while he was proceeding from the Bank after withdrawing a sum of Rs. 3,94,000/- on his motorcycle, three unknown persons on another motorcycle confronted him, shot at him causing gunshot injury and took away his bag containing the withdrawn amount besides other articles as mentioned in the FIR.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The petitioner was falsely implicated in the case in course of investigation in



the confessional statement of a co-accused made before police. No incriminating article has been recovered from the petitioner's possession. In view of the fact that the informant died subsequently, chargesheet was submitted under section 396 of the IPC. Inspite of the petitioner being in custody since 22.12.2021, he has not been put on T.I. parade. Chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration nature of material that has transpired in course of investigation, the petitioner not having been put on T.I. parade inspite of being in custody for more than a year since 22.12.2021 and chargesheet having been submitted in the case the petitioner is directed to be enlarged on bail in connection with Chautham P.S. Case no. 227 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Khagaria.

(Partha Sarthy, J)

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