

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 26246 of 2023**

Arising Out of PS. Case No.-251 Year-2021 Thana- AMAS District- Gaya

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GUDDU SINGH BHOKTA SON OF DAROGI SINGH BHOKTA Resident
of village - Taradih, P.S. - Chhakerbandha, Distt. - Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Sunil Kumar Yadav, Advocate

For the Opposite Party/s : Mr Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode. He is also permitted to make necessary correction in paragraph 1 as well as prayer portion of this application.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Amas Police Station (for brevity, **PS**) Case No 251 of 2021 dated 10.09.2021 registered for the offence punishable under Sections 395, 412 of the Indian Penal Code.



As per the prosecution case, three unknown miscreants came on a motorcycle and asked to fill petrol of Rs 200/-. Thereafter, three more unknown miscreants came on another motorcycle and overpowered all the staff including the informant and looted Rs 1,03,000/- from the counter and fled away. The accused persons also took away the CCTV box and mobile phone of the informant.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has not been named in the First Information Report. His name has sprung up during the course of investigation. No Test Identification Parade has been conducted by the prosecution. The petitioner is accused in two more criminal cases, as stated in paragraph 3 of the bail petition. He is in custody in this case since 12.08.2022. The co-accused Rajesh Yadav @ Rajesh Kumar has already been granted bail by coordinate Bench of this Court by order dated 18.05.2023 passed in Cr Misc No 18909 of 2023.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation



against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 01st Class, Sherghati at Gaya in Amas PS Case No 251 of 2021 dated 10.09.2021.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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