

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51359 of 2022

Arising Out of PS. Case No.-165 Year-2021 Thana- TILAUTHU District- Rohtas

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BIRJU GOSAIE @ BIRJU KUMAR S/O YOGENDRA GOSAI @
JOGINDAR GIRI Resident of village- Hariharganj, P.S.- Nasriganj, District-
Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2023 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 section 392 of the
Indian Penal Code.

As per prosecution case, when the informant was
returning from Bhabhua by his motorcycle bearing Registration
No. BR-24V-8069 in the meantime, four miscreants came there
and snatched his motorcycle thereafter 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 on the basis of mere
suspicion. The name of the petition has been transpired in this
case of confession made by one Ravi Kumar. It is further



submitted that neither the petitioner is named in FIR nor anything incriminating has recovered from his conscious possession. Petition has not been put on TIP till date. Moreover, Similarly situated co-accused namely, Ravi Shankar has already been granted bail by a co-ordinate bench of this court vide order dated 14.9.2022 in Cr. Misc. No. 22339 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 7.2.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Tilauthu P.S. Case No. 165 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Dehri, Rohtas.

(Sunil Kumar Panwar, J)

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