

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59816 of 2022

Arising Out of PS. Case No.-64 Year-2022 Thana- BIDUPUR District- Vaishali

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RAMAN PRASAD GAWALA SON OF VIMAL GWALA @ JITTO YADAV
@ JITU YADAV R/O VILLAGE- NAYA TOLA, JURABGANJ, P.S.-
KODHA, DISTT.- KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra, Advocate
For the Opposite Party/s : Mr.Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-01-2023 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks regular bail in connection
with Bidupur PS case no. 64 of 2022 instituted for the
offences punishable under Section 392 of the Indian Penal
Code.

The allegation is regarding two unknown
miscreants having intercepted the informant of the present
case, whereafter they had snatched a sum of Rs. 95,000/- and
then, they had fled away.

The learned counsel for the petitioner submits
that the petitioner is innocent, has been falsely implicated in
the present case and he is languishing in custody since



16.03.2022. The learned counsel for the petitioner has further submitted that the petitioner is accused in four other cases but he is on bail in two of them. It is next contended that the name of the petitioner has transpired in the present case upon disclosure made by the co-accused person namely Manish Kumar @ Subodh in his confessional statement and the said Manish Kumar has already been granted privilege of bail by this Court vide order dated 09.12.2022, passed in Cr. Misc. no. 50526 of 2022. The learned counsel for the petitioner has also submitted that neither any test identification parade has been held so as to connect the petitioner with the alleged crime nor any recovery of looted cash amount has been made from the petitioner, hence, the petitioner is not having any complicity in the matter.

Per contra, the learned APP for the State and the learned counsel for the informant have vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused person who has



already been granted bail by a co-ordinate Bench of this Court apart from the fact that neither any test identification parade has been held so as to connect the petitioner with the alleged crime nor any recovery of looted cash amount has been made from the petitioner, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur PS case no. 64 of 2022.

(Mohit Kumar Shah, J)

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