

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73664 of 2023

Arising Out of PS. Case No.-70 Year-2023 Thana- GOPALPUR District- Gopalganj

RAHUL MALL SON OF PARAS MALL RESIDENT OF VILLAGE -
GARULPUR, WARD NO. 6, PS- KOTWALI DEORIA DISTT- DEORIA UP

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Gopalpur P.S.Case no. 70 of 2023 registered under section 394 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, while the informant was in his jewellery shop it is stated that three accused persons on the point of pistol looted the informant's shop of jewellery worth of Rs. 1.5 lakhs and escaped.

4. It is submitted by learned counsel for the petitioner that the FIR was registered against three unknown. The name of the petitioner transpired in course of investigation in the alleged confessional statement of the petitioner recorded before the police. No incriminating article has been recovered



from the petitioner's possession nor has he been put on TI parade inspite of the petitioner being in custody since 15.5.2023 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the FIR, the material that has transpired in course of investigation as is evident from the order of the learned trial Court, no incriminating article having been recovered from the possession of the petitioner, the petitioner not having been put on TI parade inspite of his being in custody since 15.5.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Gopalpur P.S. Case no. 70 of 2023 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 Chief Judicial Magistrate, Gopalganj.

(Partha Sarthy, J)

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