

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5997 of 2024

Arising Out of PS. Case No.-229 Year-2023 Thana- GURUA District- Gaya

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Jitendra Paswan S/o Sitaram Paswan R/o Vill - Pawradih, P.S. - Gurua, Dist. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Vijay Kumar, Advocate

For the State : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 12-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Gurua P.S. Case No. 229 of 2023 instituted for the offence under Section 395 of the Indian Penal Code.

3. As per allegation levelled in the F.I.R., two miscreants who were on motorcycle intercepted the informant and took away his bag containing Rs. 1,26,530/-, Aadhaar Card and his official meeting register and fled away.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13-10-2023. Petitioner is stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present



case. Petitioner is not named in the F.I.R. Name of the petitioner has been surfaced in this case due to confessional statement of co-accused, namely, Manish Kumar, who has been granted bail by Co-ordinate Bench of this Court vide order dated 08-09-2023 passed in Cr. Misc. No. 59694 of 2023. Other co-accused have been granted bail by Co-ordinate Bench of this Court passed in Cr. Misc. No. 68816 of 2023, 71383 of 2023, 71721 of 2023, 76685 of 2023 and 76638 of 2023. No T.I. Parade has been conducted in this case and there is no recovery of any incriminating article from the possession of the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gurua P.S. Case No. 229 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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