

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9067 of 2024

Arising Out of PS. Case No.-295 Year-2023 Thana- SAUR BAZAR District- Saharsa

Gautam Kumar Son of Naresh Yadav R/o vill - Madhura, ward no. 07, P.O. -
Saur Bazar, Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashmi Jha, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Saur Bazar P.S. Case No. 295/2023 lodged on 01.06.2023 under
Section 392 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against three named accused persons including the
present petitioner against whom there is an allegation of robbery
of a mobile phone.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. From the
FIR it itself appears that for the alleged occurrence of
02.05.2023, the FIR has been lodged on 01.06.2023. Neither
any incriminating article has been recovered from the
possession of the petitioner nor the petitioner has been put on
the Test Identification Parade. Moreover, similarly situated co-



accused persons namely Bittu Kumar and Shankar Kumar have been granted bail by different co-ordinate Benches of this Court vide CrI. Misc. No. 765487/2023 and CrI. Misc. No. 71887 of 2023 respectively. The petitioner is in custody since 21.08.2023 and is accused in one more criminal case, in which he is on bail.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Saharsa, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

7. The learned court below shall release the petitioner on bail only after framing of charge, if not framed as well as on being satisfied that the petitioner is not absconding in any of the cases as mentioned in paragraph no.3 of the petition as under :-

(I) Saur Bazar P.S. Case No. 416/2023.

(Dr. Anshuman, J)

Ashwini/-

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