

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8328 of 2024

Arising Out of PS. Case No.-948 Year-2023 Thana- BARACHATTI District- Gaya

Prakash Kumar, S/o Sanjay Singh @ Munna Singh, R/o Village- B.T. Bigha,
Barma, P.S- Sherghati, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Barachatti P.S. Case No. 948 of 2023, instituted for the offences punishable under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that, the informant sent Rs. 2,25,000/- with the petitioner being driver of Glanza Car along with his clerk to his house situated at Gridih. Later, he was informed that the said amount, vehicle and their mobile phones have been looted by two unknown miscreants.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It transpires that the petitioner is not named in the F.I.R. During the course of investigation the petitioner was arrested on the basis of mere suspicion. Learned counsel for the petitioner



further submits that on the basis of forceful confessional statement of the petitioner before the police, the said looted amount of Rs. 2,25,000/- was said to be recovered from the house of one Mantu Singh. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has no any criminal antecedent as has been stated in paragraph no. 3 of the present bail application. The petitioner is languishing in judicial custody since 07.11.2023. Charge-sheet has already been submitted in the present case.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barachatti P.S. Case No. 948 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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