

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 11607 of 2024

Arising Out of PS. Case No.-214 Year-2020 Thana- GAYA MUFASIL District- Gaya

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Dhiraj Kumar @ Dhiraj Paswan Son of Natu Paswan @ Lambu Paswan @
shamnath Paswan Resident of Village- Gandhi Nagar, P.S.- Muffasil, Dist.-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

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

ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Gaya Mufassil P.S.
Case No. 214 of 2020, instituted for the offences punishable
under Sections 341, 323, 308, 379, 504, 506 and 34 of the
Indian Penal Code.

3. The prosecution case, in short, is that, when the
informant was passing via Gandhinagar, in the meantime, the
petitioner along with co-accused persons intercepted him and
snatched Rs. 4500/- from his pocket on pistol point. It is further
alleged that co-accused Chiku Pandit assaulted on head of
informant by means of iron rod due to which he sustained
injuries. Thereafter, the accused persons also snatched his



motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. The main allegation of snatching is against co-accused Kallu Paswan and the allegation of assault is against co-accused Chinku Pandit. The petitioner has two criminal antecedents as has been stated in paragraph no. 3 of the present bail application in which the petitioner is on bail. The petitioner is languishing in judicial custody since 30.09.2023 and charge-sheet has already been submitted in the present case. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 27.03.2023 passed in Cr. Misc. No. 700 of 2023.

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, taking into account the period of custody undergone by the petitioner and claim based on parity, 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 Gaya Mufassil P.S. Case No. 214 of 2020.

(Rudra Prakash Mishra, J)

Rajorshi/-

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