

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13366 of 2024

Arising Out of PS. Case No.-473 Year-2023 Thana- BRAHMPUR District- Buxar

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Dhanu Choudhary @ Binay Kumar Chaudhary @ Vinay Choudhary S/O
Bharat Chaudhary @ Dasharath Chaudhary R/O Village- Purana Bhojpur, P.S-
Dumraon (NAYA Bhojpur O.P.), Distt.- Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Singh, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

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

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in Brahampur (K.B.)

P.S. case No. 473 of 2023 instituted for the offences under

Section 392 of the Indian Penal Code.

3. Prosecution case, in short, is that the three

miscreants boarded on an Apache motorcycle, overtook the

motorcycle of the informant, stopped him and on the point

of pistol, snatched the bag of the informant containing cash

amount of Rs. 50,000/- and other documents and fled away.

4. Learned counsel for the petitioner submits that

the petitioner has falsely been implicated in the present



case. Charge-sheet has been submitted in this case. The name of the petitioner has transpired on the basis of his self confession made before the police which has no evidentiary value. Except the self-confessional statement, there is no other material to show the participation of the petitioner in the alleged occurrence. The petitioner states that the recovered Yamaha motorcycle belongs to him. The petitioner has not been put on T.I.P. to ascertain his participation in the present case. The petitioner is in custody since 02.11.2023 and has two criminal antecedents in which he is on bail. Co-accused have been granted bail by a Coordinate Bench of this Court vide order dated 23.02.2024 passed in Cr. Misc. No. 11569 of 2024.

5. Learned A.P.P. 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, the period of custody undergone by the petitioner and the claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail *after framing of charge, if not already framed*, 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 Brahampur
(K.B.) P.S. case No. 473 of 2023.

(Rudra Prakash Mishra, J)

Pankaj/-

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