

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15491 of 2024

Arising Out of PS. Case No.-618 Year-2023 Thana- BARH District- Patna

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Gautam Kumar Son of Manoj Sharma Resident of village - Shanti Tola,
Berhna, Police Station - Barh, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Santosh Kumar Sinha, Advocate
For the State : Mr. Surendra Prasad Singh, APP

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

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Barh
P.S. Case No. 618 of 2023 instituted for the offence under
Sections 395, 397 of the Indian Penal Code.

3. Prosecution case in short is that 5-6 unknown
miscreants came inside the house of the informant at night and
assaulted the informant as well as his staff. Upon ruckus, they
fled away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 01-10-2023. Petitioner
bears one criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.



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 FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Viakash Kumar @ Rajiv Kumar, who has been granted bail by this Court *vide* order dated 29-01-2024, passed in Cr. Misc. No. 1251 of 2024. It is lastly submitted that, no T.I. parade has been conducted in this case.

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, manner of implication 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 Barh P.S. Case No. 618 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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