

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13515 of 2024

Arising Out of PS. Case No.-281 Year-2022 Thana- KHIJARSARAI District- Gaya

Rocky @ Rocky Kumar, Son of Jayram Ram @ Jay Ram Singh @ Pradeep Chaudhary, Resident of Village- Harbanshpur Panchlova, PS- Islampur District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ujjawal Kumar Singh, Advocate
		Mr. Jitendra Narain Sinha, Advocate
For the Opposite Party/s	:	Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Khizarsarai P.S. Case no. 281 of 2022 registered under section 395 of the Indian Penal Code.

3. As per the prosecution case, the informant states that while he was going on a motorcycle, six accused persons on two motorcycles assaulted the informant with the butt of a pistol and snatched valuables as mentioned in the FIR as also Rs.2,000/- in cash. It is further stated that on the villagers gathering there, one of the accused Md. Shamshad Alam was arrested on the spot.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Neither the



petitioner was arrested on the spot nor any incriminating article was recovered from his possession. The name of the petitioner transpired in the confessional statement of co-accused Md. Shamshad Alam made before police. The said Md. Shamshad Alam has himself been enlarged on bail vide order dated 25.2.2023 passed in Cr. Misc. no.66400 of 2022. The petitioner has no criminal antecedent and is in custody since 5.1.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, grant of bail to co-accused Md. Shamshad Alam on whose confessional statement made before police the name of this petitioner transpired together with the petitioner having remained in custody since 5.1.2024 and not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Khizarsarai P.S. Case no.281 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Gaya.

(Partha Sarthy, J)

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