

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23749 of 2024

Arising Out of PS. Case No.-69 Year-2023 Thana- PASRAHA District- Khagaria

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Gaurab Kumar Son of Rambilash Singh Resident of Village- Navtoliya, P.S.-
Gopalpur, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd.APP

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

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Pasraha P.S. case No.
69 of 2023 instituted for the offences under Sections 379 of the
Indian Penal Code.

3. Prosecution allegation, in short, is that the the
motorcycle of the informant was stolen by unknown person.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is not named in the F.I.R. The name
of the petitioner has transpired on the basis of his confession
made before the police in connection with Rangra P.S. case No.
162 of 2023 along with co-accused Lalu Kumar, which has no



evidentiary value. The petitioner has got no knowledge that the motorcycle was a stolen one. The petitioner has got no concern with the said motorcycle. The petitioner has not been put on Test Identification Parade to ascertain his participation in the alleged occurrence. The petitioner is in custody since 26.05.2023 and has one criminal antecedent. Co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 29.01.2024 passed in Cr. Misc. No. 3610 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 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 Pasraha P.S. case No. 69 of 2023.

(Rudra Prakash Mishra, J)

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