

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23819 of 2024

Arising Out of PS. Case No.-464 Year-2023 Thana- GURUA District- Gaya

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Santu Kumar S/o Shankar Chaudhary @ Shankar Choudhari R/o vill -
Tadwan, P.S. - Gurua, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, 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 Gurua P.S. case No.

464 of 2023 instituted for the offences under Section 392 of

the Indian Penal Code.

3. Prosecution allegation, in short, is that three

unknown miscreants boarded on a Apache motorcycle

looted cash of Rs. 87,376/-, one tab and mobile of the

informant on gun point and fled away.

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 confessional statement of co-accused namely Vishal Kumar. Except the confessional statement, there is no cogent material on record to substantiate the allegation made in the F.I.R. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has not been put on Test Identification Parade to ascertain his participation in the alleged occurrence. Charge-sheet has been submitted in this case. The petitioner is in custody since 22.10.2023 and has two criminal antecedents. Co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 23.02.2024 passed in Cr. Misc. No. 11505 of 2024 (Annexure-2 to the present application).

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 Gurua P.S. case No. 464 of 2023.

(Rudra Prakash Mishra, J)

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