

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27622 of 2024

Arising Out of PS. Case No.-258 Year-2023 Thana- MAHKAR District- Gaya

Diwakar Kumar @ Diwakar Kumar Son of Karu Yadav Resident of Village-
Bara, P.S.- Rajauli, Dist.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 20-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Mahkar P.S. Case No. 258 of 2023 instituted for the offence
under Sections 395, 412 of the Indian Penal Code.

3. As per prosecution case, allegation against the
petitioner and co-accused persons is that they on the point of
pistol took away the Creta car.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 07.02.2023. Petitioner
bears no criminal antecedents, 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. The petitioner has no concern with the alleged occurrence. It is next submitted that co-accused has already granted bail vide order dated 02.04.2024 passed in Cr. Misc. No. 22744 of 2024. No incriminating article has been recovered from the conscious possession of the petitioner.

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 and judicial custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail after framing of charge, if already not framed on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Mahkar P.S. Case No. 258 of 2023.

(Ramesh Chand Malviya, J)

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