

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30918 of 2024

Arising Out of PS. Case No.-500 Year-2023 Thana- GORAUL District- Vaishali

1. Dhaneshar Ram @ Dhaneshwar Ram Son of Mangal Rai Resident of Village- Gaurihar, P.S- Sakara, Dist- Muzzaffarpur
2. Chandan Kumar Son of Dhaneshwar Ram Resident of Village- Gaurihar, P.S- Sakara, Dist- Muzzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv.

For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Goraul (Kathara O.P.) P.S. Case No. 500 of 2023 instituted for the offences under Sections 413, 414, 34 of the Indian Penal Code.

3. As per prosecution case, during checking, on seeing the police party, the accused persons riding on two motorcycles tried to flee away but, were apprehended by the police.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. The



petitioners have no concern with the alleged occurrence or the seized motorcycles. The petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioners are languishing in judicial custody since 23.11.2023.

5. Learned counsel for the petitioners again submits that the co-accused Prince Kumar has been granted bail by this Court vide order dated 05.03.2024 passed in Cr. Misc. No. 13371 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the co-accused having been granted bail by this Court, let the petitioner, abovenamed, be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Goraul (Kathara



O.P.) P.S. Case No. 500 of 2023.

(Rudra Prakash Mishra, J)

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