

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32655 of 2024

Arising Out of PS. Case No.-348 Year-2022 Thana- KOCHAS District- Rohtas

Golden Patel @ Kunj Bihari Son of Jai Kumar Singh @ Swetha Singh
Resident of Village/Mohalla Patarhi, P.S.- Sheosagar , Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarfraz Ahmad, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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

ORAL ORDER

3 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.Tr.
No. 567 of 2023 arising out of Kochas P.S. Case No. 348/2022
instituted for the offences under Section 395 of the Indian Penal
Code.

3. As per prosecution case, some unknown miscreants
looted the cash of Rs. 2,900/-, mobile, battery and jack of the
Hyva truck of the Informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is not named in the F.I.R. and his name has



surfaced in this case during investigation on the basis of self-confessional statement of the petitioner. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. No Test Identification Parade has been done till date. The petitioner has no concern with the alleged occurrence. The petitioner has six criminal antecedents and is languishing in judicial custody since 15.12.2022 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Chunnu Patel @ Brij Patel has been granted bail by this Court vide order dated 20.04.2024 passed in Cr. Misc. No. 28972 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 petitioner, stating that the allegation levelled against the petitioner is serious in nature. The petitioner has confessed his indulgence before the police and the co-accused persons have also named the petitioner in the confessional statement.

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 petitioner and the claim for bail being based on parity, let the petitioner, abovenamed, 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 S.Tr. No. 567 of 2023 arising out of Kochas P.S. Case No. 348/2022, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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