

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33950 of 2024

Arising Out of PS. Case No.-428 Year-2023 Thana- MOKAMAH District- Patna

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Golu Kumar Son of Babu Lal Shaw @ Bablu Saw Resident of Village- Mor
Pashchimi, P.S. - Mokama, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Anjana, Advocate

For the Opposite Party/s : Mrs. Suman Kumari Singh, APP

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

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Mokama P.S. Case No. 428 of 2023 instituted for the offences
under Sections 394, 411, 414 of the Indian Penal Code.

3. As per prosecution case, when the Informant was
carrying Kirana Saman (gud) from Patna to Munger by Bolero
Pick-up vehicle bearing Regd. No. BR01GE-7594, on the way,
four unknown miscreants surrounded his vehicle and started
assaulting him and one person took away his Bolero Pick-up
vehicle. It is further alleged that on the point of arms, they also
took away Rs. 4,000/- and a mobile phone. Thereafter, they
threatened to kill him.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against them and have 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 on the basis of confessional statement of co-accused persons. There is no direct and specific allegation against the petitioner rather the same is general and omnibus in nature. He has further stated that the F.I.R. was instituted on 01.11.2023 but, the same was sent to the Court on 04.11.2023 i.e. after delay of three days without there being any explanation for the same. The petitioner has no concern with the alleged Pick-up van or the money looted from the Informant. The petitioner has got antecedent of one criminal case as has been stated in paragraph no. 3 of the present bail application. The petitioner is languishing in judicial custody since 08.11.2023. No T.I.P. has been conducted till date. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused Bhushan Yadav and Jitendra Kumar have been granted bail by this Court vide order dated 13.02.2024 passed in Cr. Misc. No. 6823 of 2024 and Pintu Yadav, Sintu Yadav, Sonelal Yadav and Hira Yadav have been enlarged on



bail vide order dated 04.03.2024 passed in Cr. Misc. No. 13214 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) h with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mokama P.S. Case No. 428 of 2023.

(Rudra Prakash Mishra, J)

Prakash/-

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