

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34220 of 2024

Arising Out of PS. Case No.-233 Year-2019 Thana- JANDAHA District- Vaishali

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Gaurav Kumar @ Chhotu Kumar, (M), aged about 28 years, Son of Aatma Ram, Resident of village- Sikandarpur Rajaura P.S- Mufassil, Distt -Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sarvottam Kumar, Advocate
For the Opposite Party : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-05-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Jandaha P.S. Case No. 233 of 2019 dated 23.09.2019 registered for the offence punishable under Section 395 of the I.P.C.

3. As per the prosecution case, on 22/23.09.2019 at about 3.00 A.M., the informant's pick-up vehicle was overtook by 4-5 miscreants riding on a Bolero vehicle and they were armed. The miscreants after stopping the informant's pick-up vehicle assaulted him after taking him off the vehicle and threatened to fire on him. The informant was forcefully made to sit in their Bolero vehicle and his pick-up vehicle was taken by them to Samastipur and after some distance, the informant was



thrown on the road from the Bolero vehicle. The informant's mobile, purse and the photocopy of the driving license etc., were also taken by them.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the present case, during the course of investigation, merely on the basis of the confessional statement of the co-accused Ravi Kumar and Chhotu which got no evidentiary value in the eye of law. It is submitted that no incriminating article has been recovered from possession of the petitioner. The petitioner has not been put on T.I. Parade. The petitioner has three criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 09.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Vaishali at Hajipur in



connection with Jandaha P.S. Case No. 233 of 2019.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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