

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35564 of 2024

Arising Out of PS. Case No.-400 Year-2023 Thana- KALYANPUR District- East Champaran

Gunjan Kumar Son Of Bhagat Chaurasiya @ Bhagat Prasad Resident Of
Village- Mahuaba, P.S.- Pipra Kothi, Distt- East Champaran, Motihari

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

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

ORAL ORDER

2 09-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kalyanpur P.S. Case No. 400 of 2023 instituted for the offences
under Section 379 of the Indian Penal Code.

3. As per prosecution case, some unknown miscreants
have stolen the motorcycle of the informant. It is further alleged
that the informant has kept cash of Rs. 30,288/- in the said
motorcycle's dickey.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Petitioner is not named in the FIR and the same has been lodged against unknown persons. The name of the petitioner has come into light merely on the basis of confessional statement of co-accused Rahul Kumar, which has no evidentiary value in the eyes of law. The petitioner has got no concern with the alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted in this case. Moreover, it is next submitted that the other co-accused has already been granted bail by this Court vide order dated 25.04.2024 passed in Cr. Misc. No. 31755 of 2024. The petitioner is languishing in judicial custody since 14.12.2023 and has one criminal antecedent.

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

6. Considering the facts and circumstances of the case as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Kalyanpur P.S. Case
No. 400 of 2023.

(Rudra Prakash Mishra, J)

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