

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37019 of 2024

Arising Out of PS. Case No.-316 Year-2023 Thana- CHHAURADANO District- East
Champanan

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Rakesh Kumar @ Rakesh Yadav @ Rakesh Rai Son of Mangal Rai @ Mangal
Yadav @ Mangal Ray Resident of Village - Aamgachhi, P.S.- Chiraiya,
District- East Champanan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

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

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Chhauradano P.S. case No. 316 of 2023 instituted for the
offences under Sections 392 of the Indian Penal Code.

3. Prosecution case, in short, is that three unknown
miscreants boarded on one motorcycle intercepted the informant
and looted Rs. 1,47,000/-, tab, biometric, I.D. Card and mobile
from the informant on the gunpoint.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner



transpired in this case during investigation on the basis of confessional statement co-accused, Bhaddu Kumar. No incriminating/looted article has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.11.2023 and has five criminal antecedents. Other co-accused has been granted bail by this Court vide order dated 13-03-2024, passed in Cr. Misc. No. 16743 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner and claim based on parity, 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 Chhauradano P.S. case No. 316 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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