

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47709 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- PUSA District- Samastipur

Dhiraj Kumar Son Of Sanjay Bhandari Village- Morsand Dih, P.S.- Pusa,
Distt.- Samastipur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mrs. Asha Kumari, APP

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

ORAL ORDER

2 05-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Pusa P.S. Case No. 04
of 2024, instituted for the offences punishable under Section
382 of the Indian Penal Code.

3. The prosecution case, in short, is that, 3-4 unknown
miscreants assaulted the informant while he was going to his
residence after collecting cash Rs. 82,260/-, thereafter, they ran
away with the motorcycle and the said collected amount.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in F.I.R., name of the petitioner has transpired during course of the investigation from the tower location. No T.I.P has been conducted in this case. There is no recovery of looted articles from the conscious possession or from the house of the petitioner. There is no eye witness of the said occurrence. The petitioner is in custody since 02.04.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 05.04.2024 passed in Cr. Misc. No. 25575 of 2024 and by a co-ordinate Bench of this court vide order dated 22.05.2024 passed in Cr. Misc. No. 33321 of 2024.

5. Learned APP 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, taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Pusa P.S. Case No.
04 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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