

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49162 of 2024

Arising Out of PS. Case No.-891 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Awadhesh Kumar S/O Chandeshwar Paswan R/O Village- Lukki Nand Lal
Pur @ Lukki Nandalapur, P.S- Kudhani, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Yugal Kishore, Advocate
For the Opposite Party/s : Md. Fahimuddin, APP

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

ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sadar P.S. Case No. 891
of 2023, instituted for the offences punishable under Section
395 of the Indian Penal Code.

3. The prosecution case, in short, is that, 7-8 unknown
miscreants looted Rs. 2 lakhs from the gas godown.

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 the F.I.R. Name of the petitioner has transpired on the basis of his self-confessional statement in Sadar P.S. Case No. 954 of 2023 and the same has no evidentiary value. The petitioner was not put on TI parade. No looted article has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 26.04.2024 and has got two criminal antecedents in which the petitioner is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by this Court vide order dated 18.03.2024 passed in Cr. Misc. No. 19632 of 2024 and order dated 03.04.2024 passed in Cr. Misc. No. 24653 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 Sadar P.S. Case No.
891 of 2023.

(Rudra Prakash Mishra, J)

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