

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57466 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- CHAKAI District- Jamui

Abhishek Kumar Son Of Manoj Rawat Village- Khaira, Ps- Khaira, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 30-08-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Chakai P.S. Case No. 55 of 2024, instituted for the offences punishable under Sections 394/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, three accused persons accosted the informant while he was on his way and on the point of pistol, they snatched his motorcycle. On ruckus, one of the petitioner was apprehended with the help of local villagers.

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 submitted that neither any recovery has been made nor the informant has alleged anything about the petitioner. The petitioner was a passerby of that place and was apprehended on the basis of suspicion. The recovery of motorcycle has been made from forest on the basis of confessional statement of co-accused Manoj Yadav. The petitioner is in custody since 24.03.2024 and has got eight criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 14.08.2024 passed in Cr. Misc. No. 55335 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 Chakai P.S. Case No.
55 of 2024.

(Rudra Prakash Mishra, J)

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