

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59767 of 2024

Arising Out of PS. Case No.-229 Year-2023 Thana- GURUA District- Gaya

Raju @ Tunu Kumar Son of Indradeo Chaudhary R/O Vill.- Simaru, P.S.-
Gurua, Dist.- Gaya, Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arya Achint, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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

ORAL ORDER

2 23-08-2024 Heard learned counsel for the petitioner and
learned APP for the State.

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

3. The prosecution case, in short, is that, two
motorcycle riders intercepted the informant and snatched his
bag containing Rs. 1,26,530/- and other documents and fled
away.

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 the petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of disclosure made by the co-accused persons and the same has got no evidentiary value. No recovery has been made from the possession of the petitioner. The petitioner is in custody since 02.05.2024 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 04.12.2023 passed in Cr. Misc. No. 76638 of 2023 and have been granted bail by Co-ordinate Bench of this Court vide order dated 28.11.2023 passed in Cr. Misc. No. 71721 of 2023 and vide order dated 07.11.2023 passed in Cr. Misc. No. 71383 of 2023.

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 Gurua P.S. Case No.
229 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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