

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62090 of 2024

Arising Out of PS. Case No.-89 Year-2023 Thana- BHAIKAVSHTHAN District- Madhubani

Jitendra Paswan Son of Sainy Paswan R/O Vill.- Janghaila, P.S.- Raj Nagar,
Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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

ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Bhairavasthan P.S. Case No. 89 of 2023 (G.R. No. 1266 of 2023), instituted for the offences punishable under Section 394 of the Indian Penal Code.

3. The prosecution case, in short, is that, when the informant along with his cousin was on his way, he was accosted by four unknown miscreants, who on the point of pistol snatched their mobile phones and motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present 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 confessional statement of co-accused Munna Kumar and the same has got no evidentiary value. The petitioner has no concern with the looted articles. No T.I. parade has been conducted in this case. The petitioner has voluntarily surrendered himself in the Court below on 05.07.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by this Court vide order dated 12.03.2024 passed in Cr. Misc. No. 15578 of 2024 and order dated 20.07.2024 passed in Cr. Misc. No. 52854 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 Bhairavasthan P.S.
Case No. 89 of 2023 (G.R. No. 1266 of 2023).

(Rudra Prakash Mishra, J)

Rajorshi/-

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