

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69646 of 2024

Arising Out of PS. Case No.-194 Year-2024 Thana- BODHGAYA District- Gaya

Kaushal Kumar S/o- Manoj Kumar @ Manoj Vishwakarma Mohalla-
Narayan Gardh, Hanuman Nagar, PS- Rampur District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Adv.

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

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

ORAL ORDER

3 04-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bodhgaya P.S. Case No. 194 of 2024 instituted for the offences
under Section 392 of the Indian Penal Code.

3. As per prosecution case, while the Informant was
returning after visiting the Jagarnath Temple and reached at the
hospital gate (CHC), two young men riding a motorcycle came
from hospital side and the person sitting behind on the
motorcycle snatched her gold chain from her neck and fled
away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. The petitioner was not caught on the spot and nothing incriminating has been recovered from his conscious possession. The name of the petitioner has surfaced in this case on the basis of the confessional statement of the co-accused Sahil Kumar whereas the petitioner has no concern with the aforesaid Sahil Kumar. He further submits that the police under duress took the confessional statement of the petitioner which is not true and correct. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 29.05.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature and, hence, he does not deserve bail. Para-7 of the case diary shows that the Informant has also identified the accused persons in the CCTV footage. From Para-37 of the case diary, it appears that the motorcycle used for the occurrence was recovered from other co-accused person who disclosed the name of the petitioner.

6. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bodhgaya P.S. Case No. 194 of 2024.

(Rudra Prakash Mishra, J)

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