

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71495 of 2024

Arising Out of PS. Case No.-281 Year-2023 Thana- CHAKAND District- Gaya

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Vishal Kumar Son of Vijay Yadav Mohalla -Manpur Janakpur Devi Asthan,
PS- Muffasil, Dist -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

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

ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in Chakand P.S. Case No.
281 of 2023, instituted for the offences punishable under
Sections 395 and 397 of the Indian Penal Code.

3. The prosecution case, in short, is that, when the
informant was coming to Patna on his truck loaded with 59
items related to AC from Kolkata, four unknown miscreants
tried to steal the truck and stabbed the informant on his chest. It
is further alleged that one of the co-accused sat on the truck and
went to one Cement godown near Delha, where all started
unloading the items from the truck in question.



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 FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused Rahul Kumar. No looted article has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 02.05.2024 and has got one criminal antecedent in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 27.02.2024 passed in Cr. Misc. No. 12108 of 2024 and order dated 21.06.2024 passed in Cr. Misc. No. 40324 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 Chakand P.S. Case No. 281 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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