

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83449 of 2024

Arising Out of PS. Case No.-464 Year-2023 Thana- GURUA District- Gaya

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Pawan Kumar S/o Kamlesh Yadav Resident Of Village - Murera, PS- Konch,
District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mrs. Rina Sinha, APP

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

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Gurua
P.S. Case No. 464 of 2023, instituted for the offences punishable
under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that, three
unknown miscreants boarded on Apache motorcycle looted cash
of Rs. 87,376/-, one tab and mobile of the informant on gun
point and fled away.

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 submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused Ravi Kumar and the same has got no evidentiary value. It is next submitted that neither any looted articles have been recovered from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner is in custody since 27.07.2024 and has got one criminal antecedent in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted regular bail by this Court vide order dated 23.02.2024 passed in Cr. Misc. No. 11505 of 2024 and order dated 20.03.2024 passed in Cr. Misc. No. 23819 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 Gurua P.S. Case No.
464 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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