

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84175 of 2024

Arising Out of PS. Case No.-296 Year-2024 Thana- SHERGHATI District- Gaya

Golu Kumar @ Rajan Kumar Son of Bablu Ram @ Bablu Dom Resident of
Mohalla- Naya Bazar, Sherghati, P.S.- Sherghati, District- Gaya (Bihar),

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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

ORAL ORDER

2 06-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Sherghati P.S. Case No. 296 of 2024 instituted for the offences
under Sections 379, 411, 414 and 34 of the Indian Penal Code.

3. Prosecution case, in short, is that accused persons
including the petitioner were caught red handed with stolen 43
pieces of iron centering plate loaded on a tempo which was kept
near the informant's house.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The



name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Akash Kumar. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that from bare perusal of the FIR, it is apparent that the police has neither recovered nor seized any stolen article in question, rather the informant has produced the materials vide memo dated 25.05.2024 to the Sherghati Police. There is no compliance of Section 100 of the Cr.P.C. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent. The co-accused person has already been granted bail by this Court vide order dated 14.08.2024 passed in Cr. Misc. No. 55278 of 2024.

5. Learned A.P.P. 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, claim based on parity as also the period of custody undergone by the petitioner, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Sherghati P.S. Case
No. 296 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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