

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3813 of 2024

Arising Out of PS. Case No.-64 Year-2019 Thana- VISHNUPAD District- Gaya

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Sharwan Chaudhary @ Sharwan Kumar S/o - Anandi Chaudhary R/o Vill.-
Bhadeja, P.S.- Muffasil, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Vishnupad P.S. Case no. 64 of 2019 registered under sections 379, 411, 382, 414 and 34 of the Indian Penal Code and sections 25(1-B)(a), 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, the informant states that while he was sleeping in his house on hearing some sound he got up and saw some persons making an attempt to steal his motorcycle. One of the accused was caught while the accused who managed to escape was identified as the petitioner herein.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of his antecedent. He was neither arrested at the



spot nor any incriminating article has been recovered from his possession. The only material against him is the statement of a coaccused made before the police. The petitioner is in custody since 26.9.2023 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., no incriminating article having been recovered from his possession, his being in custody since 26.9.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Vishnupad P.S. Case no. 64 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya.

(Partha Sarthy, J)

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