

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4411 of 2024

Arising Out of PS. Case No.-128 Year-2023 Thana- DIDARGANJ District- Patna

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Gaurav Kumar @ Gaurav Raj @ Chhotu S/O TRIBHUWAN RAI VILLAGE-
DIDARGANJ, PS. DIDARGANJ, DIST. PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhola Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 307, 379/34 of the IPC
and section 27 of the Arms Act.

3. Allegedly, the petitioner is said to have snatched gold
chain from the neck of the informant and other F.I.R. named
accused persons assaulted him.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place. The
allegation leveled against the petitioner is not specific rather
general and omnibus in nature. The specific overt act is against



the co-accused Bittu Kumar to have assaulted with rod. The C.C.T.V. footage has not confirmed the said occurrence and the injury was found simple in nature, which is clear from Annexure-P/2 of the bail petition. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.
6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Didarganj P.S. Case No.128 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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