

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3372 of 2024

Arising Out of PS. Case No.-107 Year-2022 Thana- DHORAIYA District- Banka

Basuki Kumar S/O Murlidhar Paswan Village- Pannuchak, PS. Ghogha, Dist. Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya, Adv.

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Dhoraiya P.S. Case No. 107 of 2022 instituted for the offences under Sections 394, 411 of the Indian Penal Code.

3. As per prosecution case, when the Informant was returning home from brick furnace, three persons boarded on motorcycle, stopped the Informant and started to assault him and also snatched Rs. 15,000/- from his pocket. On Hulla, the villagers came and nabbed two persons while one person managed to escape from there. The police came and arrested both of them. On enquiry, they disclosed their name as Saurav Kumar and Basuki Kumar (the petitioner). On search, the police recovered Rs. 15,000/- from the possession of accused/Saurav Kumar and one country made pistol from the possession of the petitioner.



4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is languishing in judicial custody since 30.05.2022. The petitioner has one criminal antecedent in which he is already on bail. He further submits that the charge-sheet has been submitted and the charge has also been framed in this case.

5. Learned counsel for the petitioner further submits that the co-accused/Sourav Kumar has already been granted bail by a Co-ordinate Bench of this Court vide order dated 23.12.2022 passed in Cr. Misc. No. 52720 of 2022.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody, let the petitioner, abovenamed, 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 Dhoriya P.S. case No. 107 of 2022.

(Rudra Prakash Mishra, J)

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