

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12395 of 2025

Arising Out of PS. Case No.-277 Year-2024 Thana- LAURIA District- West Champaran

Rakesh Gond @ Rakesh Sah @ Rakesh Sah Gond Son of Late Ramchandra
Gond Resident of Village - Bathwaliya, P.S. - Bhairoganj, District - West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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

ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Lauriya P.S. Case No. 277 of 2024 instituted for the offence
under Sections 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that when the informant
was going with his goods, he was accosted with four unknown
miscreants, who have looted his 42 bags of *Pan Masala* which
was loaded in the truck.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 23-01-2025. Petitioner
bears no criminal antecedent.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired during course of investigation. Nothing has been recovered from the possession of the petitioner. It is next submitted that petitioner was not put on T.I. Parade. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been granted bail by this Court *vide* order dated 16-12-2024, passed in Cr. Misc. No. 87288 of 2024.

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

7. Considering the aforesaid facts and circumstances of the case, claim based on parity and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. 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 Lauriya P.S. Case No. 277 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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