

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27347 of 2025

Arising Out of PS. Case No.-43 Year-2024 Thana- Bahera District- Gaya

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Amit Kumar S/O Ajay Das Village- Parasia, PS- Hantarganj, Dist- Chatra,
Jharkahand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

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

ORAL ORDER

2 28-04-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Bahera
P.S. Case No. 43 of 2024, instituted for the offences punishable
under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that, three
miscreants robbed the informant of Rs. 38,430/-, a tab, phone
and other documents.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner
also submits that the petitioner is not named in the FIR. Name
of the petitioner has transpired in this case on the basis of



confessional statement made by co-accused, namely, Sanjit Paswan and the same has got no evidentiary value. Neither any looted article has been recovered from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner is in custody since 23.08.2024 and has got four criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 27.02.2025 passed in Cr. Misc. No. 10275 of 2025.

5. Learned APP 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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bahera P.S. Case No. 43 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)

Rajorshi/-

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