

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84923 of 2024

Arising Out of PS. Case No.-355 Year-2024 Thana- NAWADA MUFFASIL District- Nawada

Gautam Kumar S/o Ramvilas Chauhan Village- Akauna Minhahi, Akauna
Bazar, P.S.- Mufassil, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivek Kumar Sinha

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 20-03-2025 Heard Mr. Vivek Kumar Sinha, learned counsel for the

petitioner and Mr. Chandra Bhushan Prasad, learned APP for the

State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under Section 309(4) of the
BNS Act.

3. The case of the prosecution is that on 07.09.2024 at
about 09:00 PM, two individuals hired a *toto* for a fare of Rs.
200/-, instructing him to go to Steel Nagar and in the said course,
when they reached near Paharpur, two individuals were standing
beside an Apache bike, suddenly stopped the *toto* and then
forcefully snatched the vehicle from him and fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. It is also submitted that in this case, the FIR lodged against unknown miscreants. During course of investigation, Laxman Kumar has given his confessional statement and in his confessional statement the name of this petitioner has surfaced. It is also submitted that till today no TIP of the *toto* of the accused person has been conducted. From perusal of the case diary of para-45, it transpires that the *toto* was recovered on the disclosure of the accused person. It is further submitted that the petitioner is languishing in judicial custody since 12.09.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mufassil P.S. Case No. 355 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of ACJM-I, Nawada.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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