

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89515 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- Pura police station District- Gaya

Akash Kumar @ Kaushal Kumar Son of Sri Rameshwar Singh Resident of
Village - Kharkhura Durga Asthan, P.S. - Delha, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Pura P.S. Case No. 24 of 2024, registered for the offences under Sections 341, 323, 392, 34 of the Indian Penal Code.

3. As per the prosecution case, four miscreants looted a tempo from one Deepak Kumar, the person who was entrusted with running of the tempo by the informant. The miscreants also took away Rs.500/-, Aadhaar Card and mobile phone from the driver. The name of the petitioner transpired during investigation.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. The petitioner was arrested in connection with Chandauti P.S. Case No. 229 of 2024 and his confessional statement was recorded on the basis of his confessional statement the petitioner is made accused in this case otherwise there is no material to connect the petitioner with the offences as alleged. Nothing incriminating has been recovered from person or possession of this petitioner. Similarly situated co-accused Mayank Kumar Mishra has been granted bail by this Court vide order dated 23.10.2024 passed in Cr. Misc. No. 75477 of 2024. The petitioner is in custody since 18.07.2024 and charge sheet has been submitted against the petitioner.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that there is no recovery of any incriminating article from the petitioner and submission of charge sheet against the petitioner and period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned C.J.M.,



Gaya/concerned court, in connection with Pura P.S. Case No. 24 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Anuradha/-

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