

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43057 of 2014

Arising Out of PS.Case No. -104 Year- 2014 Thana -UJIYARPUR District- SAMASTIPUR

Shashi Kant Kumar Singh, son of Late Ram Yatan Singh, resident of Village-Korai Majkothi, P.S. Bibhutipur, District- Samastipur.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

with

Criminal Miscellaneous No.44522 of 2014

Arising Out of PS.Case No. -104 Year- 2014 Thana -UJIYARPUR District- SAMASTIPUR

1. Ramesh Kumar S/o Ram Kumar Mahto Resident of Village - Bulakipur, P.S. - Dalsingsarai, District - Samastipur

.... Petitioner.

Versus

1. The State of Bihar

.... Opposite Party.

with

Criminal Miscellaneous No.44865 of 2014

Arising Out of PS.Case No. -104 Year- 2014 Thana -UJIYARPUR District- SAMASTIPUR

1. Md. Amjad son of Noor Mohammad, Resident of Village- Mustafapur, P.S.- Bibhutipur, District- Samastipur

.... Petitioner.

Versus

1. The State of Bihar

.... Opposite Party.

with

Criminal Miscellaneous No.45589 of 2014

Arising Out of PS.Case No. -104 Year- 2014 Thana -UJIYARPUR District- SAMASTIPUR

1. Md. Mujim Son of Md Ayub Resident of Village Ghat Nawada, P.S. Dalsingsarai, District Samastipur

.... Petitioner.

Versus

1. The State of Bihar

.... Opposite Party.

Appearance :

(In Cr.Misc. No.43057 of 2014)

For the Petitioner : Mr. Rohit Kumar, Advocate.

For the State : Mr. Ataur Rahman, A.P.P.

(In Cr.Misc. No.44522 of 2014)

For the petitioner : Mr. Sunil Kumar Thakur, Advocate.

For the State : Mr. Ajay Kr. Jha. A.P.P.

(In Cr.Misc. No.44865 of 2014)

For the Petitioner : Mr. Jitendra Narain Sinha, Advocate.

For the State : Mr. P.N.Pandit(App)

(In Cr.Misc. No.45589 of 2014)

For the Petitioner : Mr. Amitabh Bhardwaj, Advocate.

For the State : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL

ORAL ORDER

3 22-01-2015 Heard the learned counsel for the petitioners and the learned
A.P.P. for the State.

All the four applications have been heard together and are being disposed of by this common order, as all four cases arise out of Ujiarpur P.S. Case No. 104 of 2014 registered for the offence punishable under Sections 394/307 and 120B/34 of the Indian Penal Code and Section 27 of the Arms act.

As per allegation, on 22. 07. 2014, the informant Md. Nemutullah withdrew Rs. 60,000/- from United Bank of India and proceeded to Samastipur by hired pick up van to purchase iron sheets, when he reached near Kisan Chimni Ujiarpur, three miscreants riding on motorcycle intercepted the pick up van and snatched Rs. 60,000/- from the informant on the point of pistol and also fired upon his thigh by pistol. It is also alleged that driver of the pick up van driven the vehicle on the different route and it has

been suspected that driver of the pick up van also involved in this case.

It is submitted that petitioner, namely, Shashi Kant Kumar Singh in Cr. Misc. No. 43057 of 2014 has been arrested and during investigation Rs. 5000/- was recovered from his pocket and he has made statement in which he has confessed his guilt and also named other co-accused persons, Ramesh Kumar, Md. Amjad and Md. Mujim. It is further submitted that prior to the occurrence, Shashi Kant Kumar Singh has sold his land of Rs.70,000/- by registered sale deed on 26. 06. 2014, whereas, he was arrested in this case on 26. 07. 2014 and money recovered from his possession belongs to him. It is further submitted that from perusal of the Fardbeyan itself, it is clear that the petitioner Md. Mujim, driver of the pick up van, in question, has been arrayed as accused on the basis of his confession, made before the police. However, no Test Identification Parade has been held as yet. After investigation, charge sheet has been submitted. It is further submitted that petitioners have no criminal antecedent.

Learned counsel for the State has fairly conceded the above submission.

Considering the facts and circumstances of this case, the above-named petitioners are directed to be released on bail on

furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Dalsinghsarai, Samastipur, in connection with Ujiarpur P.S. Case No. 104 of 2014 **after framing of the charge** with the following conditions :-

1. One of the bailors will be the close relative of the petitioners
2. The petitioners will not indulge in similar or in any other offence.
3. The petitioners will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, their bail bond will be liable to be cancelled by the court concerned.

m.p.

(Amaresh Kumar Lal, J)

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