

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57413 of 2015

Arising Out of PS.Case No. -549 Year- 2015 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

- =====
1. Amresh @ Mani Bhushan Singh Son of Sri Baijnath Singh resident of village - Singahi, Police Station - Paroo in the district of Muzaffarpur
 2. Chunnu Kumar Son of Sri Ratneshwar Chaudhary, resident of village - Bahilwara, Police Station - Saraiya in the district of Muzaffarpur
 3. Pawan Kumar Son of Shambhu Nath Singh resident of village - Gokhula, Police Station - Paroo in the district of Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bimal Kumar
For the Opposite Party/s : Mr. Nirmal Kumar Sinha (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-02-2016 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

Petitioners seek bail in connection with Muzaffarpur
Sadar P.S. Case No. 549 of 2015 registered for the offence
punishable under Section 394 of the Indian Penal Code.

Allegedly, the miscreants after opening fire, snatched
cash bag from Pankaj Kumar (Cash Officer) and assaulted him
with gun shot and Arms Guard, Alok Prasad, also opened fire in
reply, by which one of the offender sustained injuries but all the
three accused persons fled away along with Pulsor Motorcycle.
During investigation on the basis of information furnished by spy,

the petitioners were apprehended and then at the police station, they were identified by the informant, driver and Arms Guard and further in C.C.T.V. Camera also they were seen, fleeing away on motorcycle with looted cash bag and further they confessed their guilt.

Submission is of false implication and that the petitioners were brought at police station for interrogation and there they were got identified by the informant and other witnesses which has got no evidentiary value in the eye of law, the petitioners were kept at police station for three days and thereafter they were remanded, without any legal and cogent material chargesheet has been submitted.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioners have been seen in the C.C.T.V. footage, taking away the looted cash bag and further the informant and other witnesses have also identified them.

In the facts and circumstances stated above, considering that the petitioners have not been put on TIP and nothing has been recovered from their possession and, as such, they are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned C.J.M.,

Muzaffarpur arising out of Muzaffarpur Sadar P.S. Case No. 549 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

sushma/-

U		T	
---	--	---	--