

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31027 of 2017

Arising Out of PS.Case No. -570 Year- 2014 Thana -KAHALGAON District- BHAGALPUR

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1. Piyush Singh @ Piyush Kumar Singh, son of Sunil Kumar Singh.
 2. Niraj Singh @ Niraj Kumar Singh, son of Sunil Kumar Singh.
- Both are the resident of village Pakki Sarai, P.S. Ghogha, District Bhagalpur. Petitioners.

Versus

The State of Bihar Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

02 07-07-2017 Heard learned counsel for the petitioners and learned A.P.P. for the State.

Petitioners seek regular bail in connection with Kahalgaon P.S. Case No.570 of 2014, corresponding to Sessions Trial No.63 of 2016, registered for the alleged offences under Sections 395 and 397 of the Indian Penal Code.

As per the prosecution case, five unknown miscreants looted the truck, cash and driving licence of the informant injecting intoxicating substance to the informant, driver and khalasi of the truck.

It has been submitted by learned counsel for the petitioners that the petitioners are not named in the F.I.R. Nothing incriminating article has been recovered from the conscious physical possession of the petitioners. No test identification



parade has been conducted to identify the petitioners. Though the informant has not named the petitioners in the F.I.R. but the Khalasi of the truck in his statement under Section 161 Cr.P.C. has named the petitioners with an oblique motive. There is no specific allegations against the petitioners rather the allegations are general and omnibus in nature. He has been languishing in jail custody since 09.10.2015. Similarly situated accused persons have been granted bail by co-ordinate Benches of this Court in Cr. Misc. No.29869 of 2016 and Cr. Misc. No.37412 of 2016 vide orders dated 03.10.2016 and 28.10.2016 respectively.

In the facts and circumstances of the case, the petitioners above named are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of like amount each to the satisfaction of learned 7th A.D.J., Bhagalpur in connection with Sessions Trial No.63 of 2016, arising out of Kahalgaon P.S. Case No.570 of 2014.

(Prakash Chandra Jaiswal, J.)

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