

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48597 of 2017

Arising Out of PS.Case No. -438 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

1. Saroj Gupta, Son of Late Rajendra Prasad

2. Manoj Gupta, Son of Late Rajendra Prasad

R/o Village- Khurmabad P.S.- Chenari , District- Rohtas (Sasaram).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Arabind Nath Pandey, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Mohania P.S. Case No. 438 of 2017 registered under
Sections 418, 419 and 420 read with 34 of the Indian Penal
Code.

It is submitted by the learned counsel for the
petitioners that save and except confessional statement of one
Arbind Kumar @ Parmendra Kumar and one Raj Kishore Gupta,
there is no other material to connect the petitioners with the
offences alleged. It is further contended that an omnibus



allegation has been made against large number of persons including the petitioner in the confessional statement by the aforesaid two persons and out of them, one Chintu Singh having exactly identical allegation to that of the petitioner has already been granted pre-arrest bail by a Bench of this Court vide order dated 17.10.2017.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners. However, he admitted that co-accused Chintu Singh has already been granted anticipatory bail by a Bench of this Court.

Considering the submissions made on behalf of the parties, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No.438 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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