

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1959 of 2017

Arising Out of PS.Case No. -866 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

- =====
1. Raju Kumar Singh, Son of late Ram Pujan Singh
 2. Sachida Nand Kumar @ Sachchitanand Singh, Son of late Ram Dayal Singh, Both are residents of Village and P.O. Kanchanpur, P.S.-Sasaram (M), District- Rohtas.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rajani Kant Singh, Advocate

For the Opposite Party : Mr. Nagendra Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 16-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners seek bail in connection with Sasaram
(Mufassil) P.S Case No. 866 of 2016 registered for the offence
punishable under Section 395 of the Indian Penal Code.

Allegedly, 7-8 dacoits after entering into the house
of the informant being armed with deadly weapons committed
dacoity of cash of Rs. 60,000/-, gold and silver ornaments, cloths
and other grocery articles and further Rs. 3,000/- kept in the
counter of the shop, they were also concealing their face by
Gamcha and *Kalikh*. During investigation in further statement
after 27 days of the occurrence the informant named the



petitioners and one more regarding their hands in dacoity and thereafter some witnesses have also stated the name of the petitioners.

Submission is of false implication and that informant has taken the name of the petitioners after long lapse of time which cannot be relied upon and further the informant after realizing the truth has filed a petition in the Court of C.J.M., Sasaram, regarding the innocence of the petitioner and further has filed petition before the D.I.G. and S.P. concerned and, as such, the petitioners deserve sympathetic consideration.

Learned A.P.P. submits that the petitioners have got criminal antecedent and their names have come in para 19 and 20 of the case diary.

In the facts and circumstances stated above, considering that now the informant is retracting from his earlier statement and has filed a petition regarding innocence of the petitioners and, as such, the petitioners are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Sasaram (Mufassil) P.S. Case No. 866 of 2016, subject to the conditions that one of the bailors must be a 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.)

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