

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44099 of 2016

Arising Out of PS.Case No. -232 Year- 2016 Thana -LAKHISARAI District- LAKHISARAI

- =====
1. Sonu Kumar
 2. Monu Kumar Both sons of Pramod Kumar Singh Resident of Village-
Nauranga Jalalpur, P.S.-Pachmahala (Maranchi) District Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmod Kumar

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

- 3 11-01-2017 Heard the learned counsel for the petitioners as well

as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Lakhisarai P.S. Case No. 232 of 2016 for the offences punishable under sections 399, 402, 307, 353, 332 and 333 of the I.P.C and sections 25 (1-b) A, 26, 35 and 27 of the Arms Act.

The miscreants have assembled to commit crime and then the informant and other police personnel surrounded them and directed to surrender but they opened fire upon the police party resulting the police party also resorted to firing and in that process one of the miscreants became injured and some of the miscreants were arrested, whereas, some succeeded in fleeing



away and the arrested miscreants stated the names of the petitioners that all of them have assembled for committing dacoity in the Gramin Bank, Lakhisarai.

Submission is of false implication due to the village politics, the confessional statement of co-accused made before the police has got no evidentiary value in the eye of law, the petitioners were not apprehended at the spot, nothing has been recovered from their possession and they have been made victim of the circumstances, there is no independent witness of the occurrence and only on the basis of the confessional statement the petitioners are being searched.

The learned A.P.P. submits that the name of the petitioners was taken by the arrested accused Himanshu Kumar.

In the facts and circumstances as stated above, considering that the name of the petitioners have come in the confessional statement of co-accused and besides that there is no other material against the petitioners, nothing has been recovered from their houses and as such the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. C.J.M. Lakhisarai in



connection with above mentioned case, subject to the conditions
as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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