

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37023 of 2018

Arising Out of PS. Case No.-68 Year-2018 Thana- KAHALGAON District- Bhagalpur

Ramesh Kumar, son of Parmanand Raut, Resident of Mohalla - Sikandarpur,
Mirjanhat, Police Station - Mojahidpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

Criminal Miscellaneous No. 37981 of 2018

Arising Out of PS. Case No.-68 Year-2018 Thana- KAHALGAON District- Bhagalpur

Munna Kumar, S/o Vijay Tantiu resident of village Shiv Kumari Pahar, P.S.
Kahalgaon, District Bagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In Criminal Miscellaneous No. 37023 of 2018)

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sri Dilip Kumar

(In Criminal Miscellaneous No. 37981 of 2018)

For the Petitioner/s : Mr. Dr. Indiwari Kumari

For the Opposite Party/s : Mr. Sri Sakir Ahmad

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 29-06-2018 Both the criminal miscellaneous are of the same

occurrence and, as such, have been heard together and are being

disposed of by this common order.

Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners seek bail in connection with S.T.
No. 384 of 2018 (arising out of Kahalgaon P.S. Case No. 68 of



2018), registered for the offences punishable under Sections 395, 397 of the Indian Penal Code.

Allegedly, in the shop of the informant named and styled as Gaurav Steel, after assaulting the informant with butt of pistol the miscreants took away cash of Rs. 11,000/- from the counter and two mobiles and after causing threats all the miscreants fled away. During investigation the name of the petitioners transpired and the petitioner Ramesh Kumar confessed his guilt whereas from possession of the petitioner Munna Kumar, the white colour card of Gaurav Steel shop was recovered.

Submission is of false implication and that the petitioners without any fault are in custody since 10.02.2018 and 08.02.2018 respectively, no looted article has been recovered from their possession, they have not been put on T.I.P. and only on the basis that informant identified them in hospital. Similarly situated co-accused Anupam @ Anupam Kumar Singh has been allowed bail vide Cr. Misc. No. 34969 of 2018 by another co-ordinate bench of this court and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. fairly submits that co-accused Anupam @ Anupam Kumar Singh has been allowed bail.



In the facts and circumstances as stated above, 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 the learned Additional Sessions Judge-1st, Bhagalpur, in connection with S. T. No. 384 of 2018 (arising out of Kahalgaon P.S. Case No. 384 of 2018), 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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