

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1044 of 2019

Arising Out of PS. Case No.-184 Year-2018 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

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1. Aman Kumar @ Munna, aged about 26 years, (Male), son of Vinod Rai
 2. Vikash Kumar, aged about 24 years, (Male), son of Suraj Rai
Both Resident of Village-Lalpokhar, P.S.-Sadar Hajipur, Dist.-Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Adv.

For the Opposite Party/s : Mr.Sri Aditya Narayan Singh 1 (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 27-02-2019 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail in connection with Industrial Area Hajipur P.S. Case No. 184 of 2018 registered for the offences punishable under Section 395 of the Indian Penal Code.

Informant has alleged that on 23.10.2018 while he and his son proceeded for Deoghar with three cows and two calves of Rajendra Yadav on his pick-up van, in the way 6 persons on three motorcycle arrived and intercepted his vehicle. Out of them one got seated on driving seat of pick-up van and proceeded towards Ramashish Chowk and rest accused forcibly got seated the informant and his son on bike and took them



behind Hajipur Railway station there they took away cash of Rs. 9000/-, cattles and mobile phone from pocket of informant's son on the point of pistol. They handed over key of pick up van to the informant and said to go to his home and if he returns there, he will be killed.

It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. They have been falsely implicated in this case due to enmity with the police. Petitioners are not named in the FIR and the name of the petitioners came in this case on the basis of confessional statement. Similarly placed co-accused has been granted bail by this court vide order dated 28.01.2019 passed in Cr. Misc. No. 4399 of 2019. Petitioners are in custody since 26.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Industrial Area Hajipur P.S. Case No. 184 of 2018 , subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and their absence on two consecutive dates without sufficient reasons, their bail bond shall be cancelled by the court below.

(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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