

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8550 of 2019

Arising Out of PS. Case No.-557 Year-2018 Thana- LAHERIYASARAI District- Darbhanga

1. Pankaj Kumar Singh, age 40 years, Gender-Male, Son of Ram Bilas Singh Resident of Village- Raghunathpur, P.S.- Halai, District - Samastipur.
2. Krishna Kumar Singh, age- 28 years, Gender- Male, Son of Sri Mahesh Prasad Singh, Resident of - Village- Sahuri, P.S.- Chakmeshshi, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.
For the Opposite Party/s : Mr.Zainul Abedin (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-02-2019 Heard learned counsel for petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Laherisarai P.S. Case No. 557 of 2018 registered for the offences punishable under Sections 399, 402, 414 of the Indian Penal Code.

Informant who is police officer has alleged that he received information that some miscreants had assembled near the Eastern boundary-wall of DMCH for the purpose of committing some offence thereafter he along with other police party reached said place, seeing police party some of the miscreants started fleeing away but with the help of police



party some of the miscreants were apprehended and on query they disclosed the names of petitioners in the alleged occurrence. On interrogation the apprehended petitioners disclosed that they had assembled at the place of occurrence for planning and making preparation for committing dacoity in the house of Dr. Sajjan Kumar Mishra and on search several mobile phones, a knife, a motorcycle and other incriminating articles were recovered from the possession of the accused persons.

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. The petitioners were not apprehended on the spot. The name of the petitioners have surfaced on the confessional statement of the co-accused. Nothing has been recovered from the possession of the petitioners. Petitioners have no criminal antecedent and are in custody since 17.12.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner 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 C.J.M., Darbhanga, in connection with Laheriasarai P.S.



Case No. 557 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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