

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22398 of 2019

Arising Out of PS. Case No.-312 Year-2018 Thana- JANDAHA District- Vaishali

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ABHISHEK KUMAR @ ABHISHEK ANAND Son of Sri Avinash Prasad @
Avinash Prasad Rai Resident of Village - Jandaha, P.S.- Jandaha, Distt -
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 35203 of 2019

Arising Out of PS. Case No.-312 Year-2018 Thana- JANDAHA District- Vaishali

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MD. MUSTFIA @ BADAL @ MD. MUSTFA Son of Md. Hanif Resident of
Village - Arniya, P.S.- Jandaha, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 22398 of 2019)

For the Petitioner/s : Mr. V.M.K. Sinha, Adv.
Mr. Manish Chandra Gandhi, Adv.

For the Opposite Party/s : Mr.Harendra Prasad, APP.

(In CRIMINAL MISCELLANEOUS No. 35203 of 2019)

For the Petitioner/s : Mr.Mahtab Alam, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 31-07-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek bail in a case registered for the
offence punishable under Sections 302, 394 of the Indian Penal
Code and Section 27 of the Arms Act.



Prosecution case, in short, is that two miscreants on a motorcycle came at the shop of the informant and on the point of gun looted away galla (cash box) and opened fire upon informant's staff, namely, Pankaj Kumar. He was taken to the hospital, but on the way he died.

It has been submitted on behalf of the petitioners that the petitioner in Cr. Misc. No. 22398 of 2019 is in custody since 18.01.2019 and petitioner in Cr. Misc. No. 35203 of 2019 is in judicial custody since 19.02.2019. Charge sheet has been submitted in this case and there is no allegation of tampering of the prosecution witnesses against the petitioners. Learned counsel for the petitioners further submits that their name have come on confessional statement of co-accused. No looted article is alleged to have been recovered from the possession of the petitioners and no T.I.P. has been done so far. Similarly situated co-accused has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 45466 of 2019 on 23.07.2019.

In the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned



Additional Chief Judicial Magistrate-XI, Vaishali at Hajipur in
connection with Jandaha Police Station Case No. 312 of 2018.

(Anjani Kumar Sharan, J)

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