

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51519 of 2019**

Arising Out of PS. Case No.-179 Year-2019 Thana- JAKKANPUR District- Patna

1. Raju Kumar, aged about 24 years, Male, S/o Ranjit Sharma, Resident of Village- Rahua, P.S.- Tisiauta, District- Vaishali.
2. Anmol Kumar, aged about 19 years, Male, S/o Raghunath Chaudhary, Resident of Village- Sahapur Rasaudiya, P.S.- Tisiauta, District- Vaishali.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

**Appearance :**

For the Petitioners : Mr.Sunil Kumar Singh, Advocate.  
For the Opposite Party : Mr.Bharat Lal, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      20-08-2019                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners are languishing in custody since 29.03.2019 in a case for the offence registered under Sections 400, 401, 413 and 414 of the IPC.

The prosecution story, in brief, is that the informant apprehended four accused persons and recovered a Motorcycle without number plate from co-accused Amar Kumar and Anmol Kumar (petitioner no. 2). The police has also recovered cutter, machine to cut the iron, one Khanti and two Mobile Phones from possession of Anmol Kumar (petitioner no. 2). Co-accused Amit Kumar and Raju Kumar (petitioner no. 1) were found



travelling on another Motorcycle. The police has also recovered one Pillas, one Hammer, Chheni, four broken locks and two Mobile Phones. All have confessed about that they belonged to the gang of Amarjit Kumar and Mithilesh Kumar, who were not caught by the police. All have involved in many cases of theft of different houses and shops. They further stated that LCD T.V., two Laptops which were stolen in past, have not been sold and it has been kept in their houses.

It has been submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The Motorcycles in question are not stolen property. One Glamour Motorcycle belongs to uncle of petitioner no. 2 and another Pulsar Motorcycle belongs to the cousin brother of other co-accused Amit Kumar. The petitioners have been made accused in the present case due to mistake of fact. Other co-accused Amar Kumar has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 47973 of 2019 under order dated 02.08.2019.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.



Considering the aforesaid facts and circumstances, let the petitioners above named, 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 the learned Sub Judge-I-cum-A.C.J.M., Patna, in connection with Jakkanpur P.S. Case No. 179 of 2019.

**(Sudhir Singh, J)**

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