

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19619 of 2020

Arising Out of PS. Case No.-121 Year-2020 Thana- BEGUSARAI TOWN District- Begusarai

1. Ajay Kumar @ Lulha, aged about 54, Gender-Male, Son of Jai Kant Jha, Resident of Village - Tetari, P.S.- Jandari, Distt.- Begusarai.
2. Prabhat Kumar @ Ramjappo, aged about 42 years, Gender-Male, Son of Surya Shekhar Kumar, Resident of Village - Maniapa, P.S.- Matiyani, Distt.- Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Ajay Kumar Thakur and Mr. Pravin Kumar, Advocates.
For the Opposite Party	:	Mr.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-06-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

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

The petitioners seek bail in a case for the offence registered under Sections 177, 182, 201, 211, 404, 406, 353 and 120(B) of the IPC and 8(B) of the National Highway Act.

The prosecution story, in brief, is that on 15.02.2020, one Shashi Kumar having with cash of Rs. 5,00,000/- and the petitioner no. 1 were going to C.S.P. Center on Motorcycle. In



the way, Shashi Kumar met with road accident. He brought to Sadar Hospital, Begusarai, where the doctor had declared him dead. Thereafter to grab the money of Rs. 5,00,000/-of deceased Shashi Kumar, petitioners and other co-accused person conspired with each other to disappear the evidence had furnished false statement before the police that unknown persons had looted the money of deceased and had killed the deceased and for this they have instigated the people and had blocked N.H. 31. During that episode, they have also abused the police personnels. After observing C.C.T.V. footage and after interrogation, they have stated the real fact of the occurrence before the police. The police had also recovered Rs. 5,00,000/- of deceased from possession of other co-accused Rajan Kumar and prepared the seizure list.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 10.01.2020. The petitioners have got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against



the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, let the petitioners above named, be released on bail on their personal bond to the satisfaction of the learned C.J.M., Begusarai in connection with Begusarai Town P.S. Case No. 121 of 2020.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of lifting of the lockdown in the State of Bihar.

(Sudhir Singh, J)

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