

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74450 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- KIUL RAIL P.S. District- Lakhisarai

1. Dhananjay Maharaj Son of - Chunchun Maharaj, Resident of Village - Madhopur, P.S.- Didarganj, District - Patna.
2. Punit Mahto Son of - Chhatish Mahto, Resident of Village - Teyay, P.S.- Bhagwanpur, District -Begusarai.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 85588 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- KIUL RAIL P.S. District- Lakhisarai

Brahamdev Ray Son of Shankar Ray, Resident of Village - Fatehpur, P.S.- Tiyya, District- Begusarai

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 74450 of 2019)

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

(In CRIMINAL MISCELLANEOUS No. 85588 of 2019)

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioners and learned
A.P.P. for the State in both the applications.

Petitioners in both the cases are seeking regular bail in
connection with Kiul Rail P.S. Case No. 116 of 2019 registered
for the offences punishable under Section 379 of the Indian



Penal Code.

Learned counsel for the petitioners submits that these petitioners are not named in the FIR, however, their names transpired in the confessional statement of co-accused Ravish Paswan in respect of the petitioners in Cr. Misc. No. 74450 of 2019 and the name of the petitioner in Cr. Misc. No. 85588 of 2019 has transpired in the confessional statement of Paswan Kumar @ Pawan Yadav. It is, however, his submission that the petitioners of both the cases have been taken on remand from G.R.P. Patna P.S. Case No. 382 of 2019, they are in custody for about five months by now, no incriminating articles have been recovered from their possession and that the co-accused Pawan Kumar @ Pawan Yadav who had also been remanded from G.R.P. Patna P.S. Case No. 382 of 2019 has been granted regular bail by a learned Co-ordinate Bench of this Court in Cr. Misc. No. 74012 of 2019.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners in both the applications.

Considering the aforesaid facts and circumstances of the case and submission of learned counsel for the petitioners, let the petitioners above named of both the applications be released on bail in connection with Kiul Rail P.S. Case No. 116



of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Kiul (Lakhisarai), subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

vats/ved

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