

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77052 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- SRINAGAR District- West Champaran

1. KUNDAN KUMAR Son of Makun Chaudhary Resident of Village - Bagahi Nimiya Tola, P.S.- Bairiya, District - West Champaran.
2. Dhiraj Kumar Son of Lalbabu Chaudhary Resident of Village - Bagahi Nimiya Tola, P.S.- Bairiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-01-2020 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek regular bail in connection with Srinagar Pujaha P.S. Case No. 06 of 2019 for the offence registered under Sections 379, 411, 401, 413, 414/34 of the Indian Penal Code.

The allegation is regarding the informant having found in the mid of night that his motorcycle had been stolen, however, upon the co-villagers having arrived and chased the miscreants, one miscreant, namely, Sandeep Kumar was arrested and the stolen motorcycle was recovered, who disclosed the name of the petitioners herein to be his accomplice.

The learned counsel for the petitioners has submitted that the petitioners are innocent and they have been falsely implicated in the present case upon confessional statement made



by the co-accused person, namely, Sandeep Kumar. The petitioners are stated to be accused in one other case but they are stated to be on bail in the said case. Lastly, it is submitted that the petitioners are languishing in custody since 02.07.2019 and the fact is that the said co-accused person, namely, Sandeep Kumar has already been granted bail by a coordinate Bench of this Court vide order dated 04.12.2019 passed in Criminal Misc. No. 63857 of 2019.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners coupled with the fact that the main accused has already been granted bail, I deem it fit and proper to direct for release of the petitioners herein on regular bail.

Accordingly, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Srinagar Pujaha P.S. Case No. 06 of 2019.

(Mohit Kumar Shah, J)

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