

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23667 of 2020

Arising Out of PS. Case No.-30 Year-2020 Thana- ITARHI District- Buxar

ANUP KUMAR @ ANUP PATEL, Son of Dashrath Singh, Resident of
Village-Kakariyan, Police Station-Dhansoi, District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 26525 of 2020

Arising Out of PS. Case No.-30 Year-2020 Thana- ITARHI District- Buxar

AMRENDRA KUSHWAHA, Son of Ashok Kumar Singh, Resident of
Village- Kukurha, P.S.- Itarhi, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 23667 of 2020)

For the Petitioner/s : Mr.Nil Kamal

For the Opposite Party/s : Mr.Abhay Kr. Roy

(In CRIMINAL MISCELLANEOUS No. 26525 of 2020)

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 18-01-2021 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in a case registered for the
offence punishable under Section 392 of the Indian Penal Code.

The prosecution case in brief is that the informant is a
jeweler and on 09.02.2020 at about 17.20 o'clock, he was



returning to his home after closing his shop. Three persons on a Apache motorcycle without registration number came there and stopped his motorcycle and two persons came down of their motorcycle and looted Rs.25,000/-, mobile set and ATM card on the gun point.

Learned counsel the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not named in the FIR and petitioners have been made accused on the basis of confessional statement of co-accused. There is no recovery of incriminating articles from the possession/house of the petitioners and there is no T.I.P till date. There is general and omnibus allegation against the petitioners. The petitioner namely Anup Kumar @ Anup Patel is in custody since 17.04.2020 and another petitioner namely Amendra Kushwaha is in custody since 08.04.2020. Charge sheet has been submitted against the petitioners.

Learned APP for the State opposes the prayer for bail of the petitioners.

In the aforesaid facts and circumstances, let the petitioners, above named, be released on bail **after framing of the charge** on furnishing bail bonds of Rs. 25,000/- (rupees twenty five thousand) each with two sureties of the like amount



each in connection with Itarhi P.S. Case No. 30/2020 to the satisfaction of the learned A.C.J.M.-4, Buxar, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother brother, sister and/or his wife.

(2) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

(3) The petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioners shall co-operate with the investigation, if not already concluded and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

amitkumar/-

U		T	
---	--	---	--

