

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67028 of 2019

Arising Out of PS. Case No.-136 Year-2019 Thana- JAHANABAD District- Jehanabad

Chhotelal @ Chhotelal Singh @ Gajendra Kumar Son of Vijay Kumar
Resident of Village - Latawar, P.S.- Hisua, Distt.- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 70024 of 2019

Arising Out of PS. Case No.-136 Year-2019 Thana- JAHANABAD District- Jehanabad

Dhun Kumar @ Dhun Kumar Singh @ Prabhat Ranjan S/o Manoj Singh R/o
village- Latawar, P.S.- Hisua, District- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 67028 of 2019)

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Ashraf Ansari

(In CRIMINAL MISCELLANEOUS No. 70024 of 2019)

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

10 11-01-2021 Both the above stated anticipatory bail petitions have arisen out of Jehanabad P.S. Case No. 136 of 2019 registered under Section 379 of the Indian Penal Code and accordingly, both the above stated petitions are being disposed of by this common order.

Heard learned respective counsels for the petitioners as well as learned Additional Public Prosecutors for the State.

Petitioners apprehend their arrest in connection with



Jehanabad P.S. Case No. 136 of 2019 registered for the offence punishable under Section 379 of the Indian Penal Code.

Petitioners are not named in the first information report but in course of investigation, the name of these petitioners came in this case when the confessional statement of co-accused Tuntun Singh was recorded. However, para 26 of the case diary goes to show that co-accused Tuntun Singh was arrested with stolen truck whereas petitioners were arrested from a Dhaba with one Maruti Suzuki Swift car which was allegedly used in committing the alleged crime. Petitioner in Cr. Misc. No. 67028 of 2019 is owner of the aforesaid seized Maruti car and submission on his behalf is that he does not have any concern with the stolen truck or with co-accused Tuntun Singh and as a matter of fact, the so-called confessional statement of Tuntun Singh was prepared by the police to implicate the petitioner in Cr. Misc. No. 67028 of 2019 in this case.

Learned counsel appearing for the petitioner in Cr. Misc. No. 70024 of 2019 submits that so far as this petitioner is concerned, he does have land dispute with co-accused Tuntun Singh and that is the reason of false implication of the petitioner in the alleged crime. Moreover, he further submits that fact of



land dispute has specifically been pleaded at para 8 of the petition and moreover, except the so-called confessional statement of co-accused Tuntun Singh, there appears to be nothing against the petitioner in Cr. Misc. No. 70024 of 2019.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also keeping in mind that co-accused Tuntun Singh was handed over to Jehanabad Police by Jasidih Police station but petitioners were not handed over to Jehanabad police by Jasidih police station, these anticipatory bail petitions are allowed and it is ordered that petitioners, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall 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 learned Chief Judicial Magistrate, Jehanabad in Jehanabad P.S. Case No. 136 of 2019 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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