

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3822 of 2022

Arising Out of PS. Case No.-163 Year-2021 Thana- SHYAMPUR BHATHA District-
Sheohar

-
1. Deepak Kumar @ Deepak Singh Son Of Late Surya Narayan Singh R/O Village- Talimpur, P.S.- Madhuwan, District- East Champaran
 2. Ruplal Mahto Son Of Ramchandra Mahto R/O Village- Talimpur, P.S.- Madhuwan, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 63736 of 2022

Arising Out of PS. Case No.-163 Year-2021 Thana- SHYAMPUR BHATHA District-
Sheohar

Anil Kumar Singh @ Anil Singh Son of Late Jai Narayan Singh Resident of Village- Mohari, P.S.- Tariyani, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 3822 of 2022)

For the Petitioner/s : Mr. Sudish Kumar

For the Opposite Party/s : Mr. Shyam Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 63736 of 2022)

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

6 05-12-2022 Ld. Counsel for the petitioner, namely, Deepak Kumar submits that a Supplementary Affidavit has been filed on behalf of the petitioner.

Let it be kept on record.



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

The petitioners seek bail in connection with Bhathan P.S. Case No. 163 of 2021, registered for the offences punishable under Sections 392 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as emerging from the FIR is that on 26.10.2021 at about 12:30 P.M., at Ram Jankit Petrol Pump petitioner along with his associates had committed robbery and looted cash of Rs. 31000/- and some other articles.

The learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits the FIR is lodged against unknown persons and no TIP has been conducted till date. He further submits that prosecution evidence is going on and the informant has been examined but he did not recognize accused persons in the Court.

The petitioners in Cr. Misc. No. 3822 of 2022 namely, Deepak Kumar and Ruplal Mahto have been



languishing in jail since 20.11.2021 whereas the petitioner namely in Cr. Misc. No. 63736 of 2022 has been languishing in jail since 24.02.2022.

It is also stated in paragraph no. 2 of the petition that the petitioners have never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 of the petition that the petitioners in Cr. Misc. No. 3822 of 2022 namely, Deepak Kumar and Ruplal Mahto have earlier been made accused in one case whereas the petitioner in Cr. Misc. No. 63736 of 2022 has earlier been made accused in four other cases.

However, the learned APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. A.C.J.M., Sheohar in connection with Bhathan P.S. Case No. 163 of 2021 on



the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners 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 them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedent despite their knowledge of the same.

(v) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.

The learned counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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