

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.801 of 2022

Arising Out of PS. Case No.-229 Year-2019 Thana- BAKHTIYARPUR District- Patna

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PAREM KUMAR @ DHANANJAY KUMAR @ DHANANJAY YADAV @
P. K. YADAV @ PREM KUMAR Son of Ramdayal Ray Resident of Village-
Hakikatpur, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 6503 of 2022

Arising Out of PS. Case No.-229 Year-2019 Thana- BAKHTIYARPUR District- Patna

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SUMIT KUMAR ALIAS SUMIT PASWAN Son of Sufendra Paswan @
Sofendra Paswan Resident of Village - Belthan, P.O. and P.S.- Bakhtiyarpur,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 10830 of 2022

Arising Out of PS. Case No.-229 Year-2019 Thana- BAKHTIYARPUR District- Patna

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VIKKY KUMAR @ VIKASH SONAR @ SURAJ KUMAR VERMA Son of
Ramesh Prasad Resident of Village - Hakikatpur , P.s.- Bakhtiyarpur, Distt.-
Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 801 of 2022)

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.A.G.

(In CRIMINAL MISCELLANEOUS No. 6503 of 2022)

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.A.G

(In CRIMINAL MISCELLANEOUS No. 10830 of 2022)

For the Petitioner/s : Mr.Suraj Kumar



1,65,000/- from the possession of the informant.

Learned counsel for the petitioners submits that petitioner namely Parem Kumar alias Dhananjay Kumar is in custody since, 21.11.2019, petitioner namely Sumit Kumar alias Sumit Paswan is in custody since 08.01.2020 and petitioner namely Vikky Kumar alias Vikash Sonar is in custody since 12.02.2020. Petitioners bear criminal antecedent of many cases. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that the names of present petitioners have been transpired on the self confessional statement of the petitioners as mentioned in Para 44 of the case diary. No incriminating material has been recovered from the possession of the present petitioners. No TIP has been made. Petitioners are not named in the F.I.R. The petitioners are being implicated in this case merely on suspicion. Noting incriminating article or looted motorcycle has been recovered either from the possession or from the house of the petitioners.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the



prosecution evidence, argument advanced on behalf of the parties and also taking into consideration the material available on record, let the petitioners above named be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Barh, District Patna in connection with Sessions Trial No. 376 of 2020 arising out of Bakhtiyarpur P.S. Case No. 229 of 2019, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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