

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7391 of 2022

Arising Out of PS. Case No.-2 Year-2021 Thana- JAYRAMPUR District- Sheikhpura

1. Ashustosh Kumar @ Ashu S/O Tantan Singh R/O Village- Teogarh, P.S.-
Jairampur, District- Sheikhpura
2. Ankit Kumar S/O Tantan Singh R/O Village- Teogarh, P.S.- Jairampur,
District- Sheikhpura

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-05-2022 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by the Stamp Reporter within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and Mr. Rajesh Kumar, learned APP for the State.

Petitioners in the present case are seeking regular bail in connection with Jairampur P.S. Case No. 02 of 2021 registered for the offences punishable under Sections 395, 412 of the Indian Penal Code. They are in custody in connection with this case since 31.08.2021. Petitioner no. 1 has got one criminal antecedent whereas petitioner no. 2 has got no criminal antecedent.

Learned counsel for the petitioners submits that as per the prosecution story, the informant and his two companions were intercepted on the way by 15-16 unknown persons concealing their



faces and looted his motorcycle, mobile phones of the informant and his companions and some cash.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case. It is submitted that nothing incriminating has been recovered from the possession of these petitioners. The petitioners are in custody since 31.08.2021.

Learned APP for the State has opposed the prayer for regular bail of the petitioners.

Having regard to the submissions that the FIR has been lodged against 15-16 unknown persons, nothing incriminating has been recovered from the petitioners, they have not been put on test identification parade even though they are in custody since 31.08.2021, the co-accused Robin Kumar and Paro Singh have been granted bail by this Court in Cr. Misc. No. 756 of 2022 and Cr. Misc. No. 66345 of 2021 respectively, petitioner no. 1 has got one criminal antecedent whereas petitioner no. 2 has got no criminal antecedent, their presence may also be secured in course of trial and they are similarly situated with Robin Kumar and Paro Singh who have been granted bail by this Court, this Court directs release of the petitioners above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of



Smt. Sonal Biswas, learned Judicial Magistrate 1st Class,
Sheikhpura in connection with Jairampur P.S. Case No. 02 of
2021, subject to the condition as laid down under Section 437 (3)
Cr.P.C.

And further condition that the court below shall verify
the criminal antecedent of the petitioners and in case at any stage it
is found that the petitioners have concealed their criminal
antecedent, the court below shall take steps for cancellation of bail
bond of the petitioners. However, the acceptance of bail bonds in
terms of the above-mentioned order shall not be delayed for
purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

