

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67211 of 2021

Arising Out of PS. Case No.-238 Year-2021 Thana- BUXAR District- Buxar

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Dharmendra Sonar @ Dharmendra Verma Son Of Sri Ram Seth @ Sri Ram
Sonar R/O - Amla Toli, Ward No. 24, P.S.- Buxar Nagar, Dist.- Buxar

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 8545 of 2022

Arising Out of PS. Case No.-238 Year-2021 Thana- BUXAR District- Buxar

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Madan Sonar @ Madan Kumar Soni Son of Late Saryu Prasad R/ Village-
Baraki Diya, P.S.- Krishnabraham, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 67211 of 2021)

For the Petitioner/s : Mr.Ajit Kumar, Advocate

For the Opposite Party/s : Mr.Meena Singh, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 8545 of 2022)

For the Petitioner/s : Mr.Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Ramchandra Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 29-06-2022 Since both the cases arise from same P.S. Case, as

such, they have been heard together which being disposed of by

a common order.

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office

be removed within four weeks from today.

In the present case, the petitioners seek bail in

connection with Buxar (Town) P.S. Case No. 238 of 2021



registered for the alleged offences under Section 394 of the Indian Penal Code and Section 27 of the Arms Act.

Allegations against the petitioners are that they have looted the jewelry shop of the informant on gun point and took away Rs. 25,000/- in cash and jewelry worth Rs. 40-50 thousand.

The learned counsel for the petitioners submits that the petitioners are innocent and their name transpired in this case on the basis of confessional statement of co-accused. The F.I.R. has been registered against unknown but no Test Identification Parade has been conducted so far to establish the identity of the petitioners and their involvement in the alleged occurrence. Nothing incriminating has been recovered from the possession of the petitioners. Both the petitioners are having criminal antecedent but they are on bail in all cases. The petitioners are in custody since 24.08.2021 and 28.08.2021, respectively.

Learned A.P.P. for the State submits that the petitioners are having criminal antecedent and are accused in cases of similar nature.

Having regard to the submissions made hereinabove and considering the fact that the F.I.R. is against unknown and



no Test Identification Parade has been conducted and there is no recovery from the petitioners and further considering the period of custody, they are directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (Town) P.S. Case No. 238 of 2021, subject to the following conditions :

(i) The bail bond of the petitioners shall be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioners.

(iii) The petitioners will remain present on each and every date fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

ved/-

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