

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17617 of 2022**

Arising Out of PS. Case No.-309 Year-2021 Thana- Sultanganj District- Patna

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Bittu Kumar Son of Sanjay Ram Resident of Village - Ambedkar Colony Near  
Pani Tanki, P.s.- Sultanganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 17987 of 2022**

Arising Out of PS. Case No.-309 Year-2021 Thana- Sultanganj District- Patna

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Indal Kumar @ Indal Ram @ Ravindra Kumar Son of Late Kiran Ram @  
Prem Ram R/O Mohalla- Ambedkar Colony, Near Pani Tanki, P.S.-  
Sultanganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 28121 of 2022**

Arising Out of PS. Case No.-309 Year-2021 Thana- Sultanganj District- Patna

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Shiwa Ram S/o Pradip Ram @ Pradip Kumar R/o Mohalla- Ambedkar  
Colony, P.S.- Sultanganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 17617 of 2022)

For the Petitioner/s : Mr. Arvind Kumar Mouar, Adv. with  
Mr. Raj Krishan Jha, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP  
(In CRIMINAL MISCELLANEOUS No. 17987 of 2022)

For the Petitioner/s : Mr. Arvind Kumar Mouar, Adv. with  
Mr. Raj Krishan Jha, Adv.

For the Opposite Party/s : Mr. Abhay Kumar, APP  
(In CRIMINAL MISCELLANEOUS No. 28121 of 2022)

For the Petitioner/s : Mr. Arvind Kumar Mouar, Adv. with

For the Opposite Party/s : Mr. Raj Krishan Jha, Adv.  
Mr. Nirmala Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      16-08-2022                      Let the defect, if any, be removed within two weeks  
from today.

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

The petitioners seek regular bail in connection with  
Sultanganj P.S. Case No. 309 of 2021 lodged under Sections  
341, 302, 201, 34 of the I.P.C. read with Section 27 of the Arms  
Act.

As per the F.I.R. the informant received an  
information that his brother has been shot dead, thereafter, he  
reached N.M.C.H., Patna. According to him, his brother may be  
killed by one Chotu Kumar along with other accused persons  
including the petitioner.

Learned counsel for the petitioners submits that the  
present case has been filed on suspicion. He further submits that  
nothing was recovered from the possession of the petitioners.  
He further submits that petitioner's antecedent are clean. They  
are in custody since 15.11.2021 and 10.01.2022 respectively.  
Charge sheet has been filed in this case and the case is waiting  
for commitment whereas cognizance has already been taken in

this case.

Learned counsel for the petitioners submit that nothing was recovered from the possession of the petitioners. He further submits that antecedent of these petitioners are clean and TIPs have not taken place and they are in custody since 15.11.2021 and 10.01.2022. Learned counsel for the petitioners further argued that Co-ordinate Bench of this Court has pleased to grant bail to similarly situated co-accused persons vide order dated 16.08.2022, 16.08.2022 and 16.08.2022 passed in Cr. Misc No. 17617 of 2022, Cr. Misc No. 17987 of 2022 and Cr. Misc No. 28121 of 2022 respectively.

Learned counsel for the State opposes the prayer for bail and submits that there is no direct allegation upon the petitioner but his name has been disclosed by the informant in the F.I.R.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI at Patna City in connection with Sultanganj P.S. Case No. 309 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioners shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J)**

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