

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20641 of 2022

Arising Out of PS. Case No.-585 Year-2021 Thana- ARA NAWADA District- Bhojpur

1. RAHUL KUMAR SON OF LAXUMAN PRASAD R/O VILLAGE-PAKARI, P.S.- ARA NAWADA, DISTRICT- BHOJPUR
2. SONU KUMAR SON OF PRADEEP PRASAD R/O VILLAGE- PAKARI, P.S.- ARA NAWADA, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 09-06-2022 Let the defect(s), as pointed out by the office, be removed within a period of four 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 Ara Nawada P.S. Case No. 585 of 2021 registered for the offences punishable under Sections 392, 412 of the Indian Penal Code.

As per prosecution case, the informant gave his statement before the police stating therein that on 21.06.2021 he was doing his business of jewellery shop and all of a sudden at about 16:32 PM three boys armed with pistol entered in the



shop and looted the golden and silver ornaments amounting Rs. 6,50,000/-. It is also alleged that all the culprits were aged about 21-22 years and they were hidden their face by Gamcha. The informant raised suspicion that except these three miscreants, others were also with them whom he could not see. FIR has been lodged against unknown.

Learned counsel for the petitioners submits that petitioners are in custody since 08.02.2022 and bear no criminal antecedent. He further submits that no TIP was held as yet. He further submits that charge sheet has been submitted in the case and there is no likelihood of tampering the evidence. Name of the petitioners have been transpired in the case on the confessional statement of co-accused Suraj Kumar Upadhyaya and Md. Arif. No incriminating material has been recovered from the possession of the petitioners.

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

Considering the facts and circumstances of the case as well as period of custody and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the



like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Nawada P.S. Case No. 585 of 2021, subject to following conditions:-

(i) One of the bailor shall be either father or mother or sister or brother or wife or the person who 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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