

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 19986 of 2022

Arising Out of PS. Case No.-128 Year-2018 Thana- BHAGWANPUR District- Vaishali

1. Sachin Kumar @ Sachin Sah Son of Sambhu Sah Resident of Village - Dharhara (Paura Madn Singh), P.s.- Sarai, Distt.- Vaishali.
2. Sanni Kumar @ Sanni Kumar Mahto Son of Shyam Kishore Mahto Resident of Village - Dharhara (Paura Madn Singh), P.s.- Sarai, Distt.- Vaishali.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with
Bhagwanpur P.S. Case No. 128 of 2018 lodged under Section
394 of Indian Penal Code.

Learned counsel for the petitioners submit that the
present F.I.R. has been lodged against unknown person. It has
been further submitted that in the present case the petitioners
have been remanded on 20.10.2020 from Hajipur Sadar P.S.
Case No. 396 of 2020. It has also been submitted that no T.I.P.
has been made nor any in discriminating article has been
recovered from the conscious possession of the petitioners. It
has been further submitted that there are 7 criminal cases
pending against the present petitioners. From the order of the

trial court, it transpires that their bail have been rejected due to their criminal antecedent. Learned counsel for the petitioners further submits that the petitioners shall support in the trial and they shall appear on each and every date fixed by the trial court. Learned counsel for the petitioners is not in a position to inform to this Court that whether charge has been framed or not.

Learned counsel for the State submits that in such type of cases after grant of bail trial could not be completed.

In the present facts and circumstances that no T.I.P. has been made by the prosecution and petitioners are in custody since 20.10.2020, let the petitioners are directed to be released on bail only after framing of charge to the satisfaction of Trial Court.

After bail, the petitioners are directed to appear on each and every date before the Trial Court, in case of non-appearance for two consecutive dates, shall resulted into cancellation of their bail bonds.

With this observations, the bail application stands disposed of.

(Dr. Anshuman, J.)

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