

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36108 of 2021

Arising Out of PS. Case No.-394 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

BABLU KUMAR S/O Pradeep Paswan R/o Village - Sahdullahpur, P.S. -
Gangabridge, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BAHAR Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 31005 of 2021

Arising Out of PS. Case No.-394 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

MD SADDAM SON OF LATE ABDUL KHUDDUSH R/O VILLAGE-
JADUAA BAG TOLA, P.S.- TOWN HAJIPUR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 46346 of 2021

Arising Out of PS. Case No.-394 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

VIKRAM KUMAR @ GUDDU S/O JAGARNATH RAY R/o village-
Mohabatpur, P.S.- Ganga Bridge, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 36108 of 2021)

For the Petitioner/s : Ms. Rina Sinha- Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

(In CRIMINAL MISCELLANEOUS No. 31005 of 2021)

For the Petitioner/s : Ms. Rina Sinha- Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma- A.P.P.

(In CRIMINAL MISCELLANEOUS No. 46346 of 2021)

For the Petitioner/s : Mr. Ranjit Kumar Thakur- Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA



ORAL ORDER

3 31-01-2022 **CRIMINAL MISCELLANEOUS No.36108 of 2021**

Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner seeks bail in connection with Sadar Hajipur P. S. Case No.394 of 2020, instituted for the offences under Section 392 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is in custody since 20.07.2020 and charge-sheet has been submitted in the case.

Allegation is of committing loot of money, ornaments and other articles from the house of the informant in absence of her husband, who is a doctor posted in Siwan and on the point of threat that the child would be killed, if the informant raises any alarm and further, her husband would be killed if she discloses the occurrence to anyone. The informant further alleges that she can identify the accused.

On the last occasion, when the matter was taken up, the Superintendent of Police, Vaishali was directed by order dated 10.01.2022 to file a counter-affidavit stating that when the F.I.R. clearly records that the informant can identify the accused then as to why the accused was not put on T. I. Parade

The learned A.P.P. Mr. Chandra Bhushan Prasad



submits that in compliance of the order dated 10.01.2022, a counter-affidavit has been filed on 24.01.2022 in which a stand has been taken by the Superintendent of Police, Vaishali that the I.O. of the case had requested the informant to identify the accused, but the informant refused on the ground that the accused were covering their face.

The learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and his name transpired in the confessional statement of Md. Firoj Ahmad @ Md. Firoj Ahmad, who has been granted bail by order dated 19.02.2021 in Cr. Misc. No.38379 of 2020.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted and co-accused have been granted bail and the informant refused to attend the T.I. Parade, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Hajipur Sadar P. S. Case No.394 of 2020, subject to condition that one of the bailors shall be the father of the petitioner namely, Pradeep Paswan.

The application stands allowed.



CRIMINAL MISCELLANEOUS No. 31005 of 2021

Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner seeks bail in connection with Sadar Hajipur P. S. Case No.394 of 2020, instituted for the offences under Section 392 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is in custody since 22.09.2020 and charge-sheet has been submitted in the case.

Allegation is of committing loot of money, ornaments and other articles from the house of the informant in absence of her husband, who is a doctor posted in Siwan and on the point of threat that the child would be killed, if the informant raises any alarm and further, her husband would be killed if she discloses the occurrence to anyone. The informant further alleges that she can identify the accused.

On the last occasion, when the matter was taken up, the Superintendent of Police, Vaishali was directed by order dated 10.01.2022 to file a counter-affidavit stating that when the F.I.R. clearly records that the informant can identify the accused then as to why the accused was not put on T. I. Parade

The learned A.P.P. Mr. Lakshmi Kant Sharma adopts



the argument of learned A.P.P. Mr. Chandra Bhushan Prasad.

The learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and his name transpired in the confessional statement of Md. Firoj Ahmad @ Md. Firoj Ahmad, who has been granted bail by order dated 19.02.2021 in Cr. Misc. No.38379 of 2020.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted and co-accused have been granted bail and the informant refused to attend the T.I. Parade, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Hajipur Sadar P. S. Case No.394 of 2020, subject to condition that one of the bailors shall be the mother of the petitioner namely, Rashida Khatun.

The application stands allowed.

CRIMINAL MISCELLANEOUS No. 46346 of 2021

Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner seeks bail in connection with Sadar Hajipur P. S. Case No.394 of 2020, instituted for the offences



under Section 392 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is in custody since 09.06.2021 and charge-sheet has been submitted in the case.

Allegation is of committing loot of money, ornaments and other articles from the house of the informant in absence of her husband, who is a doctor posted in Siwan and on the point of threat that the child would be killed, if the informant raises any alarm and further, her husband would be killed if she discloses the occurrence to anyone. The informant further alleges that she can identify the accused.

On the last occasion, when the matter was taken up, the Superintendent of Police, Vaishali was directed by order dated 10.01.2022 to file a counter-affidavit stating that when the F.I.R. clearly records that the informant can identify the accused then as to why the accused was not put on T. I. Parade

The learned A.P.P. Mr. Vinod Shankar Modi adopts the argument of learned A.P.P. Mr. Chandra Bhushan Prasad.

The learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and his name transpired in the confessional statement of Md. Firoj Ahmad @ Md. Firoj Ahmad, who has been granted bail by order dated 19.02.2021 in



Cr. Misc. No.38379 of 2020.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted and co-accused have been granted bail and the informant refused to attend the T.I. Parade, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Hajipur Sadar P. S. Case No.394 of 2020, subject to condition that one of the bailors shall be the father of the petitioner namely, Jagarnath Ray.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

