

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 26569 of 2022

Arising Out of PS. Case No.-174 Year-2022 Thana- SHERGHATI District- Gaya

Prince Kumar Son of Late Uday Prasad Gupta Resident of Village - Bhalua,
P.O.- Sahdeokhap, P.S.- Dobhi, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 38323 of 2022

Arising Out of PS. Case No.-174 Year-2022 Thana- SHERGHATI District- Gaya

Rampyare Kumar @ Rampyare Yadav Son of Nageshwar Yadav Resident of
village- Karmouni, P.s.- Dobhi, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 26569 of 2022)

For the Petitioner/s : Mr. Ravindra Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 38323 of 2022)

For the Petitioner/s : Mr. Ajit Ranjan Kumar, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 14-11-2022 Let the defect(s), 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
Sherghati P.S. Case No. 174 of 2022 lodged under Section 392
of the I.P.C.

As per the prosecution case, the F.I.R. has been
lodged by the informant against unknown miscreants to make
loot on the point of pistol an amount of Rs. 117300 /-, table,

mobile, register, stapler, calculator kept in the bag.

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence.

Learned counsel for the petitioner of Cr. Misc no. 26569 submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 10.03.2022 having clean antecedent and charge sheet has already been filed in this case. He further submits that in the case diary, from investigation the recovery of motorcycle and mobile has been made but he categorically submits that the said motorcycle and mobile is of the petitioner of first case. Learned counsel submits that nothing incriminating has been recovered from the possession of the petitioner nor he was put on T.I.P.

Learned counsel for the Cr. Misc. No. 38323 submits that the petitioner was not named in the case and nothing incriminating was recovered from his possession. He submits that petitioner was not put on T.I.P. He also submits that petitioner has 2 criminal cases pending against him and he is on bail in both the cases. Learned counsel submits that petitioner is in custody since 10.03.2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner of Cr. Misc. No. 26569, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, XV, Gaya in connection with Sherghati P.S. Case No. 174 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed in the first case.

In the present facts and circumstances and the submissions made above in the Cr. Misc. No. 38323, I am not inclined to grant bail to the petitioner. He shall be released on bail 2 months after framing of charge.

Trial Court is directed to release the petitioner on bail imposing its own conditions, so that he shall not evade his appearance during trial.

(Dr. Anshuman, J.)

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