

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26464 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- BHAGWANPUR District- Begusarai

Sudhanshu Kumar @ Sudhansu Kumar Son of Dinesh Chaurasiya @ Dinesh Choursasiya R/O Village- Akha, P.S.- Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 26494 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- BHAGWANPUR District- Begusarai

Ankit Kumar Son of Rampukar Chaurasiya R/O Village- Sanjat, Ward No.-5, P.S.- Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 28915 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- BHAGWANPUR District- Begusarai

Bula Nand Chaurasia @ Bulaki Chaurasia @ Bulaki Son of Late Radhe Chaurasia Resident of Village - Sanjat, P.s.- Bhagwanpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 26464 of 2022)
For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.
For the Opposite Party/s : Mr. Upendra Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 26494 of 2022)
For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.
For the Opposite Party/s : Mr. Jagdhar Prasad, APP
(In CRIMINAL MISCELLANEOUS No. 28915 of 2022)
For the Petitioner/s : Mr. Braj Bhushan Poddar, Adv.
For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 18-10-2022 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 petitioner seeks regular bail in connection with Bhagwanpur P.S. Case No. 46 of 2022 lodged under Section 379 of the I.P.C. and later on section 411, 34 of I.P.C. has been added.

As per the prosecution case, the case has been filed against unknown accused persons relating to theft of Bolero vehicle.

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He further submits that nothing was recovered from their possession nor they were put on T.I.P.

Learned counsel for the petitioner of case no. 1 submits that petitioner is in custody since 23.03.2022 having 4 cases pending against him, out of which he is on bail in 3 cases and in 1 case, he is persuading bail. Charge sheet has already been filed in this case.

Learned counsel for petitioner of case no. 2 submits
that petitioner is in custody since 10.03.2022, having clean

antecedent and charge sheet has already been filed in this case.

Learned counsel for petitioner of case no. 3 submits that there is only 1 criminal case pending against the petitioner, in which he is on bail (he has informed this by virtue of filing supplementary affidavit).

Learned counsel for the State opposes the prayer for bail and submits that, name of the petitioners have figured in this case by virtue of confessional statement of co-accused Ankit Kumar and recovery of stolen Bolero vehicle was also made by the police at the place, where he intimated that vehicle stand, after the confessional statement. In the confessional statement, he has admitted that there is involvement of petitioners also in the commission of crime.

Upon specific query whether charge has filed or not, learned counsel submits that as per their information, charge sheet has not filed yet.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioners, therefore, the bail petitions for the petitioners are hereby rejected.

But liberty is hereby granted to move for bail after 9 months from today. The Trial Court is directed to release the

petitioner if trial shall not be concluded within 9 months from today.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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