

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31012 of 2022

Arising Out of PS. Case No.-36 Year-2022 Thana- ARARIA District- Araria

Md.Tanveer @ Tanveer Son Of Zafrul, R/O- Ward No.-4, Village- Balua
Motitikker Bansbari, P.S.- Araria, District- Araria, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 60892 of 2022

Arising Out of PS. Case No.-36 Year-2022 Thana- ARARIA District- Araria

Pappu Yadav @ Pappu Pelu Son Of Chhotu Yadav, R/V- Kharahiya Basti,
Ward No. 10, P.S And Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 31012 of 2022)

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

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

(In CRIMINAL MISCELLANEOUS No. 60892 of 2022)

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-12-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned
A.P.Ps. for the State.

The petitioners seek regular bail in connection with
Araria P.S. Case No. 36 of 2022 lodged under Section 392/34 of

the I.P.C.

As per prosecution case, total two persons were made accused in this case. The allegation of robbery is there in the F.I.R.. As per the F.I.R. the robbery of Rs.1,25,990/- of BSLI (an organization in which the informant was working) alongwith personal Rs.15,000/-, mobile, Aadhar Card, Pan Card, ATM Card, LMV and other documents have been made, which is subject matter of the present case.

Learned counsel for the petitioner of Cr. Misc. Case No. 31012 of 2022 submits that the name of the petitioner has figured in this case by virtue of the event that during investigation, the looted mobile has been recovered from his house. Counsel further submits that petitioner is innocently purchased the said mobile, his antecedent is clean and he is in custody since 02.04.2022.

Learned counsel for the petitioner of 2nd case (Cr. Misc. Case No.60892 of 2022) submits that nothing incriminating was recovered from the possession of the petitioner and he was not put on T.I.P rather his name has figured in this case only and only by virtue of the confessional statement of the petitioner of Cr. Misc. No.31012 of 2022 and he is in custody since 07.05.2022 having 6 criminal cases

pending against the petitioner in which he is on bail in all 6 cases.

Learned counsels for the petitioners submit that charge sheet has already been filed in this case. Upon specific query that charge has been framed or not, counsels submit that as per their knowledge cognizance has been taken.

Learned counsel for the State opposes the prayer for bail.

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, their bail applications are hereby rejected but liberty is hereby granted to the petitioners that they shall renew their prayer for bail after framing of charge and Trial Court is directed to release them on bail imposing its own conditions so that they may not evade their appearance during trial.

With this observation, the bail applications stands rejected.

(Dr. Anshuman, J.)

ravishankar/-

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