

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29978 of 2022

Arising Out of PS. Case No.-484 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

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DILIP KUMAR @ DEEPU Son of Baban Yadav Resident of Village-
Gajadhara, P.S.-Rajpur, District-Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 30546 of 2022

Arising Out of PS. Case No.-484 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

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CHNDAN KUMAR @ CHANDAN YADAV S/o Sanjay Kumar Yadav
Resident of Village- Suryapura, P.s.- Ramgarh, District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 31861 of 2022

Arising Out of PS. Case No.-484 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

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SURAJ TIWARI Son of Shashi Kant Tiwari Resident of Village - Ramgarh,
P.S. - Ramgarh, District - Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 29978 of 2022)

For the Petitioner/s : Mr.Shailendra Kumar

For the Opposite Party/s : Mr.Binod Kumar

(In CRIMINAL MISCELLANEOUS No. 30546 of 2022)

For the Petitioner/s : Mr.Shailendra Kumar

For the Opposite Party/s : Mr.Bharat Lal

(In CRIMINAL MISCELLANEOUS No. 31861 of 2022)

For the Petitioner/s : Mr.Shailendra Kumar

For the Opposite Party/s : Mr.Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH



ORAL ORDER

3 25-08-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

All the cases have been taken together as they arise out of the same police station case number and are being disposed of by this common order.

Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offences punishable under Sections 392, 307 of the Indian Penal Code and section 27 of the Arms Act.

As per prosecution story on the alleged date and time of the occurrence, informant was coming along with his wife and daughter and on the way, they stopped at the shop for refreshment and after that again started and then on the way, four accused persons riding on a motorcycle dashed their motorcycle against motorcycle of the informant owing to that informant fell down and thereafter accused persons looted away purse of informant's wife which contained Rs 10,000/- and accused persons took away mobile phones of the informant and his wife and in order to terrorize, accused person fired at the informant.

The main submissions advanced by Sri Shailendra Kumar, the learned counsel for the petitioners are that all petitioners were arrested in connection with Ramgarh P.S. Case no.263/2021 from



which they were remanded in the present case, petitioners are students preparing for competitive examinations and present case has been compromised by both parties, investigation of this case has been completed and all petitioners are teen age boys. Further submission is that against the petitioner-Dilip Kumar there is two criminal antecedents in which he is on bail and other petitioners are carrying criminal antecedent of 3/ 4 cases in which they are also on bail and one co-accused has been granted bail by a coordinate bench of this court.

Learned APP appearing for the State has opposed the prayer for bail.

Heard both sides and perused the FIR. All petitioners are stated to be teen aged boys as mentioned in the petition, investigation has been completed against them, petitioners' case is at initial stage of trial and the informant has stated in the FIR that he can identify accused persons but there is no details of T.I. parade being conducted by the police in respect of petitioners after their arrest in the present case.

Considering all these facts as well as taking into account one co-accused carrying similar nature of allegation has been granted bail in the opinion of this court, a lenient approach can be taken in respect of the petitioners. Let the petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief



Judicial Magistrate, Kaimur at Bhabua in Mohaniya P.S Case No.
484 of 2021.

(Shailendra Singh, J)

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