

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42090 of 2021

Arising Out of PS. Case No.-96 Year-2021 Thana- PARASBIGHA District- Jehanabad

1. SUBHASH KUMAR SON OF SHYAM NARAYAN SINGH Resident of Village - Kamarpur Dhava, P.S.- Parasbigha, Distt.- Jehanabad.
2. Satish Kumar @ Sachidanand Singh Son of Sahbir Garai Resident of Village - Dihari, P.S.- Parasbigha, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Mishra, Advocate
For the informant	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-02-2022 Heard Mr. Surendra Kumar Mishra, learned counsel for the petitioners, Mr. Sanjeev Kumar, learned counsel for the informant and Mr. Manoj Kumar, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Parasbigha P.S. Case No. 96/2021 and Excise Case No. 464 of 2021 registered for the offence punishable under Sections 380/34 of the Indian Penal Code and 37(c) of the Excise Act.

As per the First Information Report, while the informant was sleeping along with his family members, the petitioners entered into the house and stolen valuable gold ornaments. However, the petitioners were apprehended by the



informant in intoxicated condition and were handed over to the Police.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to land dispute and the petitioners are agnates of the informant. He further submits that no stolen property has been recovered from possession of the petitioners and no seizure list has been prepared by the Police. The petitioners are in custody since 12.6.2021.

On the other hand, learned counsel for the informant and State opposed the prayer for bail and submits that since the petitioner No. 1 has criminal antecedents and he along with the petitioner No. 2 was apprehended on the spot in drunken condition, they do not deserve the privilege of bail.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioners are agnates of the informant and no looted article has been recovered from their possession, they are in custody since 12.6.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/-



(Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Excise, Jehanabad, in connection with Excise Case No. 464 of 2021 read with Parasbigha P.S. Case No. 96 of 2021

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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