

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36290 of 2022**

Arising Out of PS. Case No.-181 Year-2022 Thana- ARWAL District- Jehanabad

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1. DEEPAK KUMAR @ DEEPAK KUMAR SINGH SON OF LATE SATENDRA SINGH RESIDENT OF VILLAGE- NATHAN CHAK (HIDANI), P.S.- PHULWARI SHARIF, DISTRICT- PATNA
 2. DHIRAJ KUMAR SON OF BAUWANAND PASWAN RESIDENT OF VILLAGE- HINDUNI, P.S.- PHULWARI SHARIF, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-09-2022 Heard Mr. Rohit Kumar, learned counsel for the petitioners and learned APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the office, be removed within four weeks.

The case is registered under Sections 379, 411 and 420/34 of IPC in connection with Arwal P.S. Case No. 181 of 2022.

As per the prosecution story, the informant withdrew Rs. 10,000/- from Union Bank of India, Arwal Branch and



when he came out of the Bank premises, it is alleged that two persons demanded change of Rs. 10000 and accordingly, tried to pass on plain papers tying in her handkerchief convincing it to be Rs. 10,000/-. The informant immediately raised 'hulla' whereafter they were caught red-handed by the police personnel who surrounded the car from which the accused persons were trying to escape. The two petitioners were amongst the said accused persons.

Learned counsel for the petitioners submit that for the said alleged occurrence they have already suffered despite the fact that they do not have criminal antecedent, it is further submission that the accused persons on their own want to volunteer Rs. 10,000 by demand draft issued by the local State Bank of India Branch towards Bihar State Legal Services Authority, Patna.

Taking the aforesaid fact into account that the petitioners are in custody since 19.4.2022 (wrongly stated as 10.4.2022), charge-sheet stands submitted and ultimately they have face the trial, this Court is inclined to grant them bail after framing of charges subject to payment of Rs. 10,000 to be deposited with Bihar State Legal Services Authority, Patna through demand draft issued by the local State Bank of



India branch.

Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Arwal P.S. Case No. 181 of 2022 after framing of charges subject to the following conditions:

(i) one of the bailors should be the family members of the petitioners, who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) they shall appear before the concerned police station every fortnight for next six months to mark their presence;

(iv) they shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioners shall desist from committing any



criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/Ajay Singh

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