

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37835 of 2022

Arising Out of PS. Case No.-365 Year-2022 Thana- KHAJANCHI HAT District- Purnia

1. Tapan Kumar Das Son of Shambhu Chandra Das R/o Village - Nayatola, Basant Bag, P.S.- Sadar, District - Purnea.
2. Shree Ram Das Son of Vishwanath Das @ Bishwanath Das R/o Village - Nayatola, Basant Bag, P.S.- Sadar, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-11-2022 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 petitioners seek regular bail in connection with K. Hat (Madhubani) P.S. Case No. 365 of 2022 lodged under Section 392 of the I.P.C. in which Section 392 of I.P.C. was replaced with Sections 406, 409, 420, 120B, 379 and 411 of the I.P.C.

As per the prosecution case, the informant has submitted a written report alleging therein that he was running a shop in the name of Alok Enterprises and used to deal in selling

iron rods and cements. Informant submits that on 15.04.2022 at about 07:45 P.M., he received information that his staff Dhananjay Chandra Das has been informed that when he was coming from collecting dues from the market, then 4 unknown persons riding on two motorcycles have snatched his bag on the point of pistol and there where in total Rs. 1.85 lacs was there in the bag and they fled away towards Banbagh.

Learned counsel for the petitioners submit that petitioners are innocent and have committed no offence. Counsel further submits that petitioners' antecedents are clean and they are in custody since 22.04.2022. Counsel further submits that the F.I.R. has been lodged against unknown criminals and on the basis of confessional statement of accused Dhananjay Chandra Das (staff of the informant), the names of the present petitioners have been figured in this case. Counsel submits that no T.I.P. has taken place. In paragraph 9, counsel submits that Rs. 1.5 lacs have been recovered from petitioner no. 1 and Rs. 2 lacs have been recovered from petitioner no. 2. But in the F.I.R., story of snatching a bag containing Rs. 1.85 lacs are there and as such, the prosecution story is not corroborated herein. Counsel further submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed

upon them.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with K. Hat (Madhubani) P.S. Case No. 365 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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