

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.47609 of 2022**

Arising Out of PS. Case No.-112 Year-2022 Thana- CHANDRADIP District- Jamui

1. BRAJESH KUMAR Son of Amirak Yadav Resident of Village - Noni, P.s.- Chandradeep , Distt.- Jamui.
2. Dipak Kumar Son of Mannu Rajak Resident of Village - Noni, P.s.- Chandradeep , Distt.- Jamui.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Akash Raj, Advocate

For the Opposite Party/s : Ms.Nirmala Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 09-12-2022 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within two weeks.

Heard learned counsel for the petitioners and
Ms.Nirmala Kumari, learned A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Chandradeep P.S. Case No. 112 of 2022 registered for the offences punishable under Section 392 of the Indian Penal Code. They are in custody since 13.07.2022. The petitioners have got no criminal antecedent.

As per a written report by one Aman Kumar, on 12.07.2022 at about 7:30 P.M. he along with his friends proceeded for Mahuli petrol pump on two motorcycles to



purchase diesel. It is alleged that when they reached near Bichli Ahar, four persons including the petitioners intercepted the motorcycles and on the point of pistol, they snatched a golden chain from the possession of the informant and Rs. 5500/- cash from the possession of Golu Kumar. It is further alleged that the informant raised alarm and the villagers chased the alleged culprits and two of them (petitioners) were caught at the spot and they also received some injuries and furthermore the informant immediately informed the Police and handed over the petitioners to the Police.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the petitioners have no criminal antecedent and they are in custody in connection with this case since 13.07.2022 having no criminal antecedent.

Ms. Nirmala Kumari, learned APP for the State is present and has opposed the prayer for regular bail of the petitioners.

Having regard to the facts and circumstances of the case, the petitioner is in custody since 13.07.2022 and has no criminal antecedents as also there is no submission on behalf of the State that release of the petitioner is likely to result in



tampering with the evidence or interfering with the evidence, this Court directs that the petitioners above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Ist , Jamui in connection with Chandradeep P.S. Case No. 112 of 2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application is allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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