

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59071 of 2021

Arising Out of PS. Case No.-200 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

1. Amar Gowala, S/o Ashok Gowala @ Jeevan Gowala, Resident of Village- Fatapukur, P.S.- Rajganj, District- Jalpaigudi, State- West Bengal
2. Chandan Gowala, S/o Late Mukh Lal Gowala, R/o Village- Fatapukur, P.S.- Rajganj, District- Jalpaigudi, State- West Bengal.
3. Ritik Gowala @ Ratik Gowala @ Ratif Gowala, S/o Rishi Gowala, R/o Village- Fatapukur, P.S.- Rajganj, District- Jalpaigudi, State- West Bengal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-04-2022 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners sand learned APP for the State.

The petitioners seek regular bail, who are in custody in connection with Kochadhaman P.S. Case No. 200 of 2021 for the offence punishable under Sections 393, 399, 402, 413, 414 of the Indian Penal Code.

As per prosecution case, it is alleged that the police on a secret information raided the place of occurrence from where



these three petitioners were apprehended and from their possession incriminating materials including knife, silver chain and other tools were recovered.

It is submitted on behalf of learned counsel for the petitioners that the recovery, which have been shown from the possession of the petitioners, has never made from these petitioners, rather the recovery has been made from the place of occurrence, and the petitioners have no concerned with the alleged recovery. It is next submitted that thereafter the police obtained signatures of these petitioners and the same have been converted into the confessional statement of the petitioners. It is further submitted that investigation has already been concluded and the charge sheet has also been submitted in this case.

On the other hand, learned APP for the State has drawn the attention of this Court towards the antecedents of the petitioners, as mentioned in para. 3 of the bail application. In reply to the aforesaid submissions made on behalf of the learned counsel for the State, it is submitted by the learned counsel for the petitioners that in all these cases, the petitioners have been remanded from the present case and they are on bail, except the case mentioned at serial no.(x) of para.3 of the bail application. The petitioners are in custody since 18.07.2021.



Having considered the submissions made on behalf of the parties and taking into consideration the fact that the petitioners are in custody since 18.07.2021 and all these three petitioners have been remanded in 12 cases from the present one, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kochadhaman P.S. Case No. 200 of 2021 subject to the condition that one of the bailors will be the local residents with further conditions which are as follows:-

(i) The petitioners will cooperate in conclusion of the trial. (ii) They will remain present on each and every date of trial till disposal of the case. (iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial. (iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

(Harish Kumar, J)

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