

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32235 of 2021

Arising Out of PS. Case No.-74 Year-2020 Thana- ADAPUR District- East Champaran

MUNNA PATEL Son of Suresh Patel Resident of Village- Nayaktola, P.S.-
Harpur (Adapur), District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 65709 of 2021

Arising Out of PS. Case No.-74 Year-2020 Thana- ADAPUR District- East Champaran

RAJAN TIWARI @ RAJAN KUMAR TIWARI Son of Krishna Tiwari @
Krishna Bihari Tiwari Resident of Village - Shreepur, P.S.- Chhauradano,
District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 32235 of 2021)

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.
Mr. Prateek Tandon

For the Opposite Party/s : Mr. Uday Pratap Singh

(In CRIMINAL MISCELLANEOUS No. 65709 of 2021)

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Aditya Narayan Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 24-03-2022 Heard learned Counsel for the parties concerned, in

both the cases.

The petitioners seek regular bail in connection with
Adapur Police Station Case No. 74 of 2020, registered for the
offence punishable under Sections 324/307/394 of the Indian
Penal Code and Section 27 of the Arms Act.

The prosecution case, as per the First Information



Report, is that while the informant was returning along with his nephew, they were accosted by 3-4 miscreants, who snatched bag containing ornaments worth Rs. 5,00,000/- and also fired upon the nephew of the informant and fled away.

Learned Counsel for the petitioners submit that the petitioners have falsely been implicated in this case on the basis of confessional statement recorded by the police in connection with Adapur Police Station Case No. 88 of 2020. They further submit that confessional statement of petitioner Munna Patel, Arun Kumar Gupta and Kalam Ansari, were recorded in the aforesaid case and except the confessional statements, no other material is there to connect the petitioners with the alleged occurrence. They further submits that the petitioners have not been put on Test Identification Parade as yet and no incriminating and/or looted article has been recovered from the possession of the petitioners. They further submits tht co-accused Arun Kumar Gupta, having criminal antecedent also, has been granted bail by co-ordinate Bench of this Court, vide order passed in Criminal Misc. No. 8857 of 2021. They further submit that the petitioners are in custody since 07.07.2020 and 05.10.2020 respectively and charge sheet has been submitted against them and as such, there is no apprehension that the



petitioners will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties and taking into consideration the material available on record and the fact that similarly situated co-accused persons have been granted bail by co-ordinate Bench of this Court, I am inclined to grant regular bail to the petitioners.

These applications are, accordingly, allowed.

Let the petitioners, above named, be released on bail, upon furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Raxaul, Motihari, East Champaran, in connection with Adapur Police Station Case No. 74 of 2020.

This is subject to the condition that the petitioners shall present themselves before the Court, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

