

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64258 of 2021

Arising Out of PS. Case No.-183 Year-2021 Thana- GAYA MUFASIL District- Gaya

1. ANIL SINGH Son of Jagdip Singh Resident of Village - Rana Nagar, P.s.- Mufassil, Distt.- Gaya.
2. Sanjay Kumar Singh Son of Jagdip Singh Resident of Village - Rana Nagar, P.s.- Mufassil, Distt.- Gaya.
3. Rahul Kumar Singh Son of Anil Singh Resident of Village - Rana Nagar, P.s.- Mufassil, Distt.- Gaya.
4. Kukku @ Nitin Kumar Son of Sanjay Singh Resident of Village - Rana Nagar, P.s.- Mufassil, Distt.- Gaya.
5. Cheeku @ Nitesh Kumar Son of Sanjay Singh Resident of Village - Rana Nagar, P.s.- Mufassil, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 66331 of 2021

Arising Out of PS. Case No.-183 Year-2021 Thana- GAYA MUFASIL District- Gaya

1. ROHIT SINGH @ TUNTUN SINGH Son of Amrendra Kumar Arun @ Amrendra Singh Resident of Mohalla - Siddharth Rai Colony, Police Station - Mufassil, District - Gaya.
2. Golu Singh @ Rahul Kumar Singh Son of Amrendra Kumar Arun @ Amrendra Singh Resident of Mohalla - Siddharth Rai Colony, Police Station - Mufassil, District - Gaya.
3. Mukesh Ranjan @ Mukesh Kumar Son of Mahendra Kumar Singh Resident of Mohalla - Siddharth Rai Colony, Police Station - Mufassil, District - Gaya.
4. Vikash Kumar Singh @ Vikash Kumar Son of Nagendra Kumar Singh Resident of Mohalla - Janakpur, Police Station - Mufassil, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 67821 of 2021

Arising Out of PS. Case No.-183 Year-2021 Thana- GAYA MUFASIL District- Gaya



VARUN KUMAR SINGH @ BUNTY SINGH son of Anil Singh Resident of
Mohalla - Rana Nagar, Police Station - Mufassil, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 64258 of 2021)

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. advocate
Mr. Pramod Kumar

For the Opposite Party/s : Mr. Ram Anurag Singh
Mr. Radha Mohan Singh

(In CRIMINAL MISCELLANEOUS No. 66331 of 2021)

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Ram Sevak Choudhary
Mr. Parth Gaurav

(In CRIMINAL MISCELLANEOUS No. 67821 of 2021)

For the Petitioner/s : Mr. P. K. Shahi, Sr. advocate
Mr. Pramod Kumar

For the Opposite Party/s : Mr. Ajay Kumar Jha
Mr. Radha Mohan Singh
Mr. Parth Gaurva

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 13-09-2022 Since all the three anticipatory bail petitions arise out

of the same P.S. case, they have been heard together and are

being disposed of by this common order.

Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered
for the offence punishable under Section 379, 461, 380, 389,
427, 120(B) of the Indian Penal Code.

As per the prosecution case, while the complainant/
informant was away in Kolkata the seal of the premises was
broken and the entire furniture, fixtures, equipment and
instruments worth of more than rupees one crore of Dental



Hospital and besides this the valuable records of rented buildings of the cold storage with the machinery was stolen away by the accused persons, including these petitioners.

It is submitted that petitioners and complainant/ informant are own kins as petitioner No.1 and 2 of Cr. Misc. No. 64258/ 2021 are sons of full brother of informant and petitioner No.3 is son of petitioner No.1 while petitioner No. 4 and 5 are sons of petitioner No.2 and thus petitioner No. 3 and 4 are grand son of full brother of informant. Petitioners of Cr. Misc. No. 66331 of 2021 and petitioner of Cr. Misc No. 67821 of 2021 are also grand sons of full brother of the informant. There is land dispute between the parties and in the year 1976 a partition suit was filed in the court below among the brothers of the informant bearing Partition Suit No. 43/ 1976. The informant is not an eye witness of the occurrence and only on suspicion petitioners have been made accused in this case.

Learned counsel appearing for the State and the complainant/ informant vehemently opposes the prayer for anticipatory bail and submits that petitioners are named in the complaint petition and there is direct and specific allegation against them that they after breaking the seal of the premises, which was sealed by the District Administration in the year



2000, took away the entire furniture, fixtures, equipment and instruments worth of more than rupees one crore of Dental Hospital and besides this the valuable records of rented buildings of the cold storage with the machinery. The witnesses during the course of investigation supported the prosecution case.

Considering the facts of the case and the nature of accusation made against the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Muffasil PS case No. 183/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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