

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5367 of 2023

Arising Out of PS. Case No.-316 Year-2020 Thana- AWTARNAGAR District- Saran

1. RAJU KUMAR S/O LAL BABU MAHTO Resident of Village- Jagdishpur, P.S.- Doriganj, District- Saran Bihar.
2. AMARJEET KUMAR S/O LAL BABU MAHTO Resident of Village- Jagdishpur, P.S.- Doriganj, District- Saran Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv.

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-06-2023 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in connection with Awatarnagar P.S. Case No. 316 of 2020 registered for the offence under Sections 394 of the Indian Penal Code.

The case relates to commission of loot.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that the petitioners have not been named in the F.I.R., however, their names transpired in this case on the basis of self confessional statement of the petitioners which was recorded in connection with Doriganj P.S. Case No. 219 of



2022. In fact, nothing incriminating has been recovered from the house or conscious possession of the petitioners nor T.I.P. has been conducted by the prosecution as yet. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioners. The petitioners are rotting in judicial custody since 12.09.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners and submits that the petitioners carry six more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Awatarnagar P.S. Case No. 316 of 2020 with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the



Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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 step 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.

(Rajesh Kumar Verma, J)

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