

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19167 of 2022

Arising Out of PS. Case No.-591 Year-2021 Thana- PATLIPUTRA District- Patna

Sanjeev Kumar S/O Late Madhusudan Singh Resident of Village- Phular, P.S.
Paru, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 33142 of 2022

Arising Out of PS. Case No.-591 Year-2021 Thana- PATLIPUTRA District- Patna

Ravi Kumar Son of Ram Ekbal Sahani Resident of Mohalla/ Village-
Sadaquat Ashram, Rajendra Ghat In Front Of Bihar Bidyapith, Patna-10, P.S.-
Patliputra, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 34236 of 2022

Arising Out of PS. Case No.-591 Year-2021 Thana- PATLIPUTRA District- Patna

DILIP KUMAR Son of Late Rajendra Prasad Resident of Ramkrishna Nagar,
In from of S.B.I., Police Station- Ramkrighna Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 19167 of 2022)

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 33142 of 2022)

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Advocate

Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 34236 of 2022)

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate

Mr. Akhauri Kamal Kishore Sahay, Advocate



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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 12-01-2023 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under section 395 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that while he was carrying a sum of Rs.41 lacs in his Bolero vehicle, six accused persons on the point of pistol on three motorcycles surrounded the vehicle, abused and assaulted the informant and the driver and dispossessed the informant of the said amount.

It is submitted by learned Senior counsel for the petitioner- Ravi Kumar that the FIR was registered against unknown. In course of investigation Ravi Kumar was arrested on the basis of suspicion and has been falsely implicated in the case on the basis of confessional statement made before the police. Contrary to the allegations no incriminating article has been recovered from his possession. In spite of being in custody since 13.12.2021 neither the petitioner nor the alleged recovered amount has been put on T.I. Parade.

Learned Senior counsel appearing for the petitioner



Dilip Kumar submits that contrary to allegations no incriminating article has been recovered from his possession. In spite of being in custody since 13.12.2021 he has also not been put on T.I. parade.

Learned counsel for the petitioner Sanjeev Kumar submits that there is no allegation of recovery of any incriminating article from this petitioner who is in custody since 13.12.2021 and has been falsely implicated in the case because of his antecedents.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation including the recovery of large amount of cash from the possession of the petitioners Dilip Kumar and Ravi Kumar, the Court is not inclined to enlarge the two petitioners on bail and their application is rejected.

Liberty is granted to the petitioners Dilip Kumar and Ravi Kumar to renew their prayer for bail after framing of charge or after six months whichever is later.

So far as petitioner Sanjeev Kumar is concerned, no incriminating article having been recovered from his possession and chargesheet having been submitted in the case, the Court directs the



petitioner, Sanjeev Kumar to be enlarged on bail in connection with Patliputra P.S. Case no. 591 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Xth, Patna.

(Partha Sarthy, J)

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