

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39232 of 2023

Arising Out of PS. Case No.-328 Year-2022 Thana- LALGANJ District- Vaishali

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1. PRASHANT KUMAR S/O RAJKUMAR RAI R/O Village- Etwarpur, PS. Lalganj, Dist. Vaishali
 2. RAUSHAN KUMAR S/O INDRAJEET KUMAR @ SADHU RAI R/O Village- Etwarpur, PS. Lalganj, Dist. Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-08-2023 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in connection with Lalganj P.S. Case no. 328 of 2022 registered under sections 413, 414 and 34 of the Indian Penal Code.

3. As per the prosecution case, on checking by the informant, it is stated that three accused persons made an attempt to escape in which two were successful. One accused namely Bablu Kumar was arrested and a stolen motorcycle besides other articles were recovered from his possession. On inquiry he disclosed the names of the two petitioners herein.

4. Learned counsel for the petitioners submits that neither the petitioners were arrested at the spot nor any



incriminating articles recovered from their possession. Their names transpired in the confessional statement of a co-accused made before police. The petitioners have no criminal antecedent.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the contents of the FIR wherein the names of the two petitioners herein transpired in the confessional statement of a co-accused made before police together with the petitioners not having any criminal antecedent, in the event of their arrest or surrender within four weeks, the above named two petitioners are directed to be enlarged on bail in connection Lalganj P.S. Case no. 328 of 2022 on each of them 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-II, Vaishali at Hajipur subject to the conditions stipulated under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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