

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46676 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- SIKTA District- West Champaran

ANUP SRIVASTAVA S/o Sri Bhushan Srivastava Resident of Village-
Laxmipur, P.S.- Sikta, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 47028 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- SIKTA District- West Champaran

ANUJ KUMAR CHAUBEY, SON OF ANAND CHAUBEY R/O
VILLAGE- ROARI, P.S.- SHIKARPUR, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 46676 of 2022)

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate
Ms. Rashmi Jha, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, App

(In CRIMINAL MISCELLANEOUS No. 47028 of 2022)

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 17-03-2023 Let the defect(s), if any, pointed out by the office

be removed within three weeks from the date of this order

failing which the matters be listed again under the appropriate

heading for necessary action.

As both the criminal miscellaneous petitions have

arisen out of same P.S. case, hence they are being taken up and



decided together.

Heard learned counsels for the petitioners and the learned APPs for the State.

Petitioners seek regular bail in connection with Sikta P.S. Case No. 14 of 2022 registered for the offences punishable under Sections 307 and 393 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution, the informant alleged that two unknown miscreants arrived at his shop and thereafter opened air-fire and tried to commit loot, and one customer sustained fire-arm injury.

The main submissions advanced by the learned counsels for the petitioners are that there is no legal evidence or material against the petitioners to connect them to the alleged crime of attempt to robbery, the petitioner's (Anuj Kumar Chaubey) role in the alleged crime surfaced in the statement of co-accused Shiv Kumar Sah and the petitioner's (Anup Srivastava) role in the alleged crime surfaced in the statement of Anuj Kumar Chaubey (petitioner) and except these statements, there is no any material against them and after their arrest they were not put on Test Identification Parade by the police and petitioners Anup Srivastava and Anuj Kumar Chaubey have



been languishing in jail since 18.04.2022 and 22.02.2022 respectively.

Learned APPs appearing for the State have opposed the bail prayer but fairly accepted that against the petitioners there is no material except the confessional statements of co-accused Shiv Kumar Sah and Anuj Kumar Chaubey and against them, the investigation has been completed.

In view of the facts, as stated above, in the opinion of this Court a lenient approach can be taken in respect of the petitioners' prayer, let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Sikta P.S. Case No. 14 of 2022.

(Shailendra Singh, J)

Sanjay/-

U		T	
---	--	---	--

