

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51383 of 2023**

Arising Out of PS. Case No.-333 Year-2023 Thana- RAMPUR District- Gaya

CHHOTU KUMAR @ GABBAR @ LALTU @ CHHOTU KUMAR
GABBAR SON OF RAM SHARAN YADAV R/O-GEWAL BIGHA
BATHAN, P.S.-RAMPUR, DISTT.-GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA, BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 51534 of 2023

Arising Out of PS. Case No.-333 Year-2023 Thana- RAMPUR District- Gaya

ROHIT KUMAR S/o- JITENDRA PASWAN Village- Katari Hill Ps-
Chandauti Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar Village- Katari Hill Ps- Chandauti Dist- Gaya

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 51383 of 2023)

For the Petitioner/s : Mr.Ujjawal Kumar Singh

For the Opposite Party/s : Mr.Asha Kumari

(In CRIMINAL MISCELLANEOUS No. 51534 of 2023)

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 11-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a
case instituted for the offence under Sections 414, 420, 467,
468/34 of the Indian Penal Code and 37(2) of the Bihar
Prohibition and Excise Amendment Act.



3. The allegation against the petitioners is that from his possession a stolen motorcycle has been recovered. It is further alleged that from their mouth the smell of wine was coming out.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case due to dirty village politics. They have committed no offence. He submitted that the motorcycle in question was found abandoned and the police asked the petitioner to become seizure list witnesses, which was refused by them and after creating false evidence the petitioners have been implicated in the present case by highhandedness of the police. No incriminating/stolen article has been recovered from the conscious possession of these petitioners. The provision of Section 100 of the Cr.P.C. has not followed in this case, while preparing the seizure list. They are languishing in judicial custody since 11.05.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged



on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Rampur P.S. Case No. 333 of 2023.

(Sunil Kumar Panwar, J)

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