

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53607 of 2023

Arising Out of PS. Case No.-56 Year-2023 Thana- DHANGAI District- Bhojpur

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SAMIR KUMAR S/O RAMASHISH RAM R/O MOHALLA- SABJI
MANDI WARD NO. 13 PO AND PS- JAGDISHPUR DIST- BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 53870 of 2023

Arising Out of PS. Case No.-56 Year-2023 Thana- DHANGAI District- Bhojpur

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MANTU KUMAR GUPTA SON OF ARBIND PRASAD ALIAS ARBIND
KUMAR SAH RESIDENT OF VILLAGE - HATPOKHAR, P.O. AND P.S. -
JAGDISHPUR, DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 53607 of 2023)

For the Petitioner/s : Mr. Brijendra Kumar, Adv.

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

(In CRIMINAL MISCELLANEOUS No. 53870 of 2023)

For the Petitioner/s : Mr. Brijendra Kumar, Adv.

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-09-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with Dhangai
P.S. Case No. 56 of 2023 registered for the offence under Sections
395 of the Indian Penal Code.

Eight unknown miscreants are alleged to have



assaulted the informant and committed loot with him.

Learned counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, 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. He further submits that the petitioner, Sameer Kumar has been arrested by the police on the ground of suspicion during course of investigation and on his disclosure, petitioner, Mantu Kumar Gupta has been made accused in this case. He further submits that nothing incriminating has been recovered from the possession of the petitioner. Save and except the suspicion and confessional statement of the co-accused, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioners in the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 09.06.2023.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioners.

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 Additional



Session Judge-VIII, Ara in connection with Dhangai P.S. Case No. 56 of 2023 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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