

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47353 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

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RAM RAJ SON OF JANKI R/O-LAXMANPUR, KOTHI
(BHAGWANPUR), GUPTI BAIRAJ, P.S.-MALHIPUR, DISTT.-
SHRAWASTI, (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 57364 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

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DASRATH YADAV @ DASHRATH YADAV S/O LATE SATRUDHAN
YADAV R/V-SUKHASHAN SAHMA, PS. BITHAN, DIST. SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 47353 of 2023)

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Akshay Lal Pandit

(In CRIMINAL MISCELLANEOUS No. 57364 of 2023)

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-11-2023 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 395 and 397 of the
Indian Penal Code.



3. As per prosecution case, some unknown miscreants covered with face, having deadly weapons, came to the jewellery shop of the informant and tried to enter into the shop after breaking the lock and iron shutter. On being heard the sound of breaking of shutter, Bajran Chaudhary raised alarm and local people assembled there. Thereafter unknown miscreants started to assault the public and Raman received head injury and he fell down and became unconscious.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. Petitioners are not named in the FIR and the same has been lodged against unknown persons. The name of the petitioners have come into light, on the basis of confessional statement of other co-accused, which has got no evidentiary value in the eyes of law. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioners. No T.I. Parade has been done. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 15.09.2023 passed in Cr. Misc. No. 60901 of 2023. They are languishing in judicial custody for six months.

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 concerned in connection with Cheriya Bariyarpur P.S. Case No. 20 of 2023.

(Sunil Kumar Panwar, J)

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