

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44379 of 2022

Arising Out of PS. Case No.-210 Year-2022 Thana- FATUA District- Patna

TUNTUN KUMAR Son of Vijay Ray Resident of Village - Shafipur, P.S.-
Fatuha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 47500 of 2022

Arising Out of PS. Case No.-210 Year-2022 Thana- FATUA District- Patna

AVINASH KUMAR Son of Sanjay Singh Resident of village - Govindpur,
P.O.- Bajitpur, P.S.- Bidupur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 48881 of 2022

Arising Out of PS. Case No.-210 Year-2022 Thana- FATUA District- Patna

SHIVAM KUMAR Son of Jai Prakash Bhagat R/V- Kutubpur Dighra, PS-
Bidupur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 51521 of 2022

Arising Out of PS. Case No.-210 Year-2022 Thana- FATUA District- Patna

BHOLA KUMAR S/O LATE JAHINDRA BHAGAT Resident of village-
Qutubpur, (Saidpur), Dighara, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s



Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 52596 of 2022

Arising Out of PS. Case No.-210 Year-2022 Thana- FATUA District- Patna

REKHA DEVI W/o Devendra Bhagat Resident of Village - Kutubpur, Dighra,
P.S.- Bidupur, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 57552 of 2022

Arising Out of PS. Case No.-210 Year-2022 Thana- FATUA District- Patna

1. MAHENDRA BHAGAT Son of Late Banke Bhagat Resident of Village -
Kutbpur, Dighara, Police Station - Bidupur, District - Vaishali at Hajipur.
2. Manju Devi Wife of Sanoj Bhagat Resident of Village - Kutbpur, Dighara,
Police Station - Bidupur, District - Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 44379 of 2022)
For the Petitioner/s : Mr.Manoj Kumar Singh
For the Opposite Party/s : Mr.A.G
(In CRIMINAL MISCELLANEOUS No. 47500 of 2022)
For the Petitioner/s : Mr.Arun Kumar Tiwari
For the Opposite Party/s : Mr.Syed Ehteshamuddin
(In CRIMINAL MISCELLANEOUS No. 48881 of 2022)
For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Mohammed Arif
(In CRIMINAL MISCELLANEOUS No. 51521 of 2022)
For the Petitioner/s : Mr.Ayush Kumar
For the Opposite Party/s : Mr.Arun Kumar Pandey
(In CRIMINAL MISCELLANEOUS No. 52596 of 2022)
For the Petitioner/s : Mr.Anurag Saurav
For the Opposite Party/s : Mr.Anita Kumari
(In CRIMINAL MISCELLANEOUS No. 57552 of 2022)
For the Petitioner/s : Mr.Rakesh Prabhat
For the Opposite Party/s : Mr.Sanjay Kumar



sets to co-accused Chitranjan Kumar and on the basis of confessional statement of co-accused Chitranjan Kumar mobile sets were recovered from the house of these petitioners. Learned counsel has further submitted that the petitioners are not involved in the alleged occurrence and they have not even been named by the accused persons. They are the persons of clean antecedents and under custody since 09.05.2022.

The Learned counsel for the petitioner Tuntun Kumar has submitted that except the statement of Nitish Kumar there is nothing against the petitioner. Nitish Kumar, though stated that it was the petitioner who was driving the vehicle but he has falsely implicated the petitioner. Nothing has recovered from the possession of the petitioner. There is no any other case of similar nature against the petitioner and he is under the custody since 18.03.2022.

The Learned counsel for the petitioner Shivam Kumar has submitted that there is nothing against the petitioner except the fact, that he was standing near the shop of Avinash Kumar where the raid was being conducted. This petitioner is also the person of clean antecedent and he is under custody since 09.05.2022.

Learned counsel for the petitioner Avinash Kumar



has submitted that though 5 mobile sets were recovered from his possession but on similar footing Chitranjan Kumar has been granted bail. He is also a person of clean antecedent and languishing in jail since 09.05.2022.

So far as the petitioners Bhola Kumar and Rekha Devi are concerned 3 mobile sets have been recovered from possession of Rekha Devi but they are the persons of clean antecedents and languishing in custody since 09.05.2022. Nothing has been recovered from the possession of the petitioner Bhola Kumar.

Considering the nature of allegation as well as period of incarceration, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Patna City, Patna in connection with Fatuha P.S. Case No. 210 of 2022, subject to the following conditions:-

(i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(ii) If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the



bail of the petitioners and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

SONALI/Sudha

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

