

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55565 of 2022

Arising Out of PS. Case No.-158 Year-2022 Thana- BHAGWAN BAZAR District- Saran

ANURAG SINGH Son of Bharama Nand @ Barhma Nand Singh R/V-
Narayanpur, P.S- Nawtan, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 63334 of 2022

Arising Out of PS. Case No.-158 Year-2022 Thana- BHAGWAN BAZAR District- Saran

RAJU KUMAR @ RAJU KUMAR RAM S/O HEERALAL Resident of
village- Bisunpura, Dargechak Tola, P.S.- Bankata, District- Deoria (UP).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 69534 of 2022

Arising Out of PS. Case No.-158 Year-2022 Thana- BHAGWAN BAZAR District- Saran

SACHIDANAND YADAV SON OF LATE CHANDRIKA YADAV R/O
VILLAGE- SABEYA, P.S.- VIJAYIPUR, DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 72857 of 2022

Arising Out of PS. Case No.-158 Year-2022 Thana- BHAGWAN BAZAR District- Saran

SHUBHAM SINGH @ PAHALWAN Son of Subhash Singh R/V- Virampur,
P.S- Mufitganj, Dist- Jaunpur (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 55565 of 2022)

For the Petitioner/s : Mr. Harendra Prasad, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha, APP

(In CRIMINAL MISCELLANEOUS No. 63334 of 2022)

For the Petitioner/s : Mr. Bishwajeet Singh, Adv.



For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP
(In CRIMINAL MISCELLANEOUS No. 69534 of 2022)
For the Petitioner/s : Mr. Arjun Prasad, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP
(In CRIMINAL MISCELLANEOUS No. 72857 of 2022)
For the Petitioner/s : Mr. Alok Kumar Alok, Adv.
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-03-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners seek bail for the offence punishable under
Section 395 of the I.P.C.

According to prosecution case, six unknown
miscreants entered into the shop of the informant and looted
away ornaments of diamond and gold from the drawers and
showcase on the gunpoint.

Learned counsel for the petitioners submits that
petitioner no.3 namely, Sachidanand Yadav has clean antecedent
and they have falsely been implicated in the present case only
on the basis of the confessional statement of co-accused namely,
Shubham Singh @ Pahalwan Singh. He further submits that
except the confessional statement of co-accused namely,
Shubham Singh @ Pahalwan Singh, no other cogent material
has come during investigation against these petitioners. He
further submits that similarly situated, co-accused persons,
namely, Anish Kumar @ Anish Kumar Manjhi has been granted



bail by a co-ordinate Bench of this Court vide order dated 25.11.2022 passed in Cr. Misc. No. 46081 of 2022, co-accused namely, Pushpendra Kumar has been granted bail vide order dated 21.12.2022 passed in Cr. Misc. No. 53995 of 2022 and co-accused namely, Vikash Kumar @ Vikash Kumar Ram has been granted bail vide order dated 16.01.2023 passed in Cr. Misc. No. 57068 of 2022. He further submits that the police after investigation submitted the charge sheet against the petitioners and the petitioner no.1 namely, Anurag Singh is in custody since 24.05.2022, Petitioner no.2 namely, Raju Kumar @ Raju Kumar Ram is in custody since 09.06.2022, Petitioner no.3 namely, Sachchidanad Yadav is in custody since 19.07.2022 and the petitioner no.4 namely, Shubham Singh @ Pahalwan is in custody since 24.05.2022.

The learned Additional Public Prosecutor for the State on the other hand vehemently opposed the prayer of bail of the petitioners on the ground that the petitioner no.1 carries two criminal antecedents, petitioner no.2, namely Raju Kumar carries six criminal antecedents and the petitioner no.4 namely, Shubham Singh @ Pahalwan carries two criminal antecedents.

Considering the aforesaid facts and circumstances, let the petitioners, above named, 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 the learned court below, where the case is pending in connection with Bhagwan Bazar P.S. Case No. 158/2022, subject to 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 cancelled 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.

3. 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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