

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.58413 of 2023

Arising Out of PS. Case No.-172 Year-2022 Thana- BHAPTIAHI District- Supaul

BIKASH CHAUDHARY S/O RAJU CHUADHARY @ RAJO  
CHOUDHARY R/O VILLAGE- RAMPUR (SHYAM NAGAR), WARD NO.  
9, P.S- PIPRA, DISTT.- SUPAUL.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 58796 of 2023

Arising Out of PS. Case No.-172 Year-2022 Thana- BHAPTIAHI District- Supaul

RANJAN KUMAR son of Shri Basudev Yadav Village- Mehashimar Ps-  
Kishanpur Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 59505 of 2023

Arising Out of PS. Case No.-172 Year-2022 Thana- BHAPTIAHI District- Supaul

SANOJ KUMAR @ SANOJ SAHNI S/o- NAGINA SAHNI R/o- Jehanabad  
Ps- lalganj Dist- Vaishali, Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 58413 of 2023)

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

(In CRIMINAL MISCELLANEOUS No. 58796 of 2023)

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 59505 of 2023)

For the Petitioner/s : Mr. Chandan Kumar Verma, Adv.

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



**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      14-09-2023                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners seek bail in connection with Sessions Trial Case No. 235 of 2023 arising out of Bhaptiyahi P.S. Case No. 172 of 2022 dated 15.10.2022 registered for the offence under Sections 392, 342 and 34 of the Indian Penal Code. Later on Section 395 and 412 of the Indian Penal Code.

The informant who is said to be a driver of the truck has alleged that while he was boarding, suddenly some unknown miscreants intercepted him and assaulted him along with his co-driver and shifted him to another pick up van and taken away his truck which loaded with raw rice.

Learned counsel appearing for the petitioners submits that the petitioners 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., however, their names transpired in this case on the basis of confessional statement of the co-accused, Subhash Kumar @ Subhash Mehta, who has confessed before the police that he along with other accused persons committed loot of the informant. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. Moreover, co-accused, Subhash Kumar @ Subhash Mehta, who



has been arrested on the basis of CDR, and Randhir Kumar Roy @ Randhir Kumar @ Randhir Kumar have already been granted bail by a co-ordinate Bench of this Court vide order dated 24.05.2023 and 06.09.2023 passed in Cr. Misc. No. 28294 of 2023 and Cr. Misc. No. 57833 of 2023, respectively. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioners. The petitioners, Bikash Chaudhary and Ranjan Kumar are rotting in judicial custody since 15.02.2023 and the petitioner, Sanoj Kumar @ Sanoj Sahni, has been languishing in judicial custody since 13.03.2023.

Learned A.P.P. for the State opposed the prayer for bail of the petitioners and submits that the petitioners carry one more case other than the present one.

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 District & Sessions Judge-IV, Supaul in connection with Sessions Trial No. 235 of 2023 arising out of Bhaptiyahi P.S. Case No. 172 of 2022 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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