

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58116 of 2022

Arising Out of PS. Case No.-133 Year-2022 Thana- AMDABAD District- Katihar

GABBAR SINGH, Son of Sat Narayan Singh, Resident of Gola Ghat, P.S.-
Amdabad, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 58954 of 2022

Arising Out of PS. Case No.-133 Year-2022 Thana- AMDABAD District- Katihar

Vijay Singh, Son of Late Prabhu Singh, R/O Village- Gola Ghat, P.S.-
Amdabad, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 64381 of 2022

Arising Out of PS. Case No.-133 Year-2022 Thana- AMDABAD District- Katihar

BHARAT SINGH, S/O- Sikandar Singh @ Mangru, R/O- Gola Ghat, P.S.-
Amdabad, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 64476 of 2022

Arising Out of PS. Case No.-133 Year-2022 Thana- AMDABAD District- Katihar

NARESH SINGH, S/o Late Teju Narayan Singh, R/o Gola Ghat, P.S.-
Amdabad, Distt- Katihar.

... .. Petitioner/s

Versus

The State of Bihar



... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 58116 of 2022)

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate

For the State : Mr.Harendra Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 58954 of 2022)

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate

For the State : Mrs.Sharda Kumari, APP

(In CRIMINAL MISCELLANEOUS No. 64381 of 2022)

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate

For the State : Mrs. Sharda Kumari, APP

(In CRIMINAL MISCELLANEOUS No. 64476 of 2022)

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate

For the State : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 15-03-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 395 and 397 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, six miscreants boarded on three motorcycles overtook and surrounded the informant and stopped his motorcycle and snatched his bag containing rupees ten lacs, laptop and mobile phone. On his protest, they also fired on the informant and fled away with the aforesaid bag.



Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not named in the F.I.R. The name of the petitioners has sprung up in the confessional statement of the co-accused Amar Singh. No Test Identification Parade has been conducted by the prosecution. Learned counsel has further submitted that the amount of Rs. 50,000/- and a mobile phone are alleged to have been recovered from the house of the petitioner no. 1 (Gabbar Singh), the amount of Rs. 50,000/- has been recovered from the house of the petitioner no. 2 (Vijay Singh), the amount of Rs. 70,000/- has been recovered from the house of the petitioner no. 3 (Bharat Singh) and the amount of Rs. 23,000/- has been recovered from the house of the petitioner no. 4 (Naresh Singh) but the said recovered money from the house of the petitioners is not stolen money. He has further submitted that the similarly situated co-accused persons have already been granted bail by the Coordinate Bench vide order dated 21.02.2023 passed in Cr. Misc. No. 56236 of 2022. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 13.07.2022.

Learned A.P.P. for the State has opposed the bail petition of the petitioners.



Considering the aforesaid facts and circumstances as well as the period of custody of the petitioners, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Amdabad P.S. Case No. 133 of 2022, with a condition :-

1. The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of their bail bond.

The application stands allowed.

(Chandra Prakash Singh, J)

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