

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60492 of 2022

Arising Out of PS. Case No.-113 Year-2022 Thana- SHYAMPUR BHATHA District- Sheohar

1. RAJU KUMAR, S/o Vinay Sahani, R/o Village- Lahi, P.S.- Madhuban, Distt- East Champaran.
2. Chandan Kumar, S/o Pramod Sahani, R/o Village- Lahi, P.S.- Madhuban, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-01-2023 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Shyampur Bhataha PS Case No. 113 of 2022, registered for the offence punishable under Sections 392/34 of the Indian Penal Code.

The informant's brother was discharging his duties at the Petrol Pump as a Nozzle Man when it is alleged that four persons have come at the retail outlet and looted some cash and two mobile sets.

Learned counsel for the petitioners submits that the petitioners' name has surfaced on confessional statement of co-accused Subhash Kumar, having no evidentiary value whatsoever. The petitioners otherwise bear clean antecedents and are in custody since 14.06.2022. Whereas Subhash Kumar, who has stated the name of the petitioners, has been allowed bail in *Cr. Misc. No. 56223 of 2022*. Similarly situated co-accused, namely, Deepak Kumar has been allowed bail in *Cr. Misc. No. 57815 of 2022*. The investigation



is complete.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, period of custody and clean antecedents, as also the fact that investigation is complete, this Court is inclined to allow the petitioners' prayer for bail.

Prayer for bail of the petitioners is allowed.

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 Additional Chief Judicial Magistrate, Sheohar, in connection with Shyampur Bhataha PS Case No. 113 of 2022, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.
- (ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

Sumit/shashank-

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