

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66155 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- SONEPUR District- Saran

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1. GOLU KUMAR@RAUSHAN PANDEY SON OF RAM PUKAR PANDEY
RESIDENT OF VILLAGE- NAYATOLA, SANGAT, PS-
BAKHTIYARPUR, DISTT- PATNA
 2. GUDDU PANDEY SON OF RAM PUKAR PANDEY RESIDENT OF
VILLAGE- NAYATOLA, SANGAT, PS- BAKHTIYARPUR, DISTT-
PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Sonpur P.S. Case No. 53 of 2023 dated 20.01.2023, instituted
for the offence punishable under Sections 356 and 379 of the
Indian Penal Code.

3. The prosecution case, in short, is that the informant
along with his wife after withdrawing Rs. 2,50,000/- from bank
proceeded for their house on motorcycle. On the way two
unknown boys came on a motorcycle from behind and told the
informant that someone had spit on her Shawl. On this, when
her husband slowed the motorcycle, the boys snatched the bag



from the informant containing Rs. 2,50,000/-, Adhar Card, Bank Pass Book, Pan Card, Cheque Book etc. On alarm, villagers chased them but they succeeded in fleeing away.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that petitioners are not named in the F.I.R. and only on the basis of confessional statement, they have been made accused. It is further submitted that petitioners have got bail and released from judicial custody on 15.04.2023 in another case but thereafter the police filed requisition stating therein that petitioner no. 1 has confessed before the police in Sonapur P.S. Case No. 226 of 2023. Lastly, it has been submitted that they have been made accused also in Sonapur P.S. Case No. 226 of 2023.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners in connection with Sonapur P.S. Case No. 53 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to



the satisfaction of the learned Chief Judicial Magistrate, Chapra
@Saran, subject to condition as laid down under Section 438(2)
of the Cr.P.C. as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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