

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70168 of 2023

Arising Out of PS. Case No.-309 Year-2023 Thana- KHAGAUL District- Patna

1. Soni Devi Wife Of Prem Kumar Singh Resident Of Mohalla- Dalluchak, Near Anand Market, Ps- Khagaul, Distt- Patna
2. Prem Kumar Singh Son Of Late Ramashish Prasad Resident Of Mohalla- Dalluchak, Near Anand Market, Ps- Khagaul, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-11-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Sections 380/34 of the Indian Penal Code.

3. As per prosecution case, the informant kept 30,0000/- lakhs rupees in her house, when she went to withdraw the money for some work, she found that it was not in house. It is further alleged that on the basis of CCTV footage installed in her house, she found two boys going past from her house with a bag, on seeing the footage a boy named Anurag Kumar was identified, who was live at rent in her house and the friend of



Anurag Kumar namely Rishu Kumar.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. Petitioners are not named in the FIR. The name of the petitioners has come into light on the basis of confessional statement of other co-accused, which has got no evidentiary value in the eyes of law. From the perusal of the FIR, there is no direct or indirect allegation levelled against these petitioners rather the specific allegation against co-accused Anurag Kumar and Rishu Kumar. No incriminating/looted articles have been recovered from the conscious possession of the petitioners. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody since 21.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the



satisfaction of the learned A.C.J.M.-V, Danapur in connection
with Khagaul P.S. Case No. 309 of 2023.

(Sunil Kumar Panwar, J)

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