

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78551 of 2023**

Arising Out of PS. Case No.-1380 Year-2022 Thana- PHULWARISHARIF District- Patna

1. Md. Ejaj Hasan @ Kuku Son Of Ali Hasan @ Bega R/O Village/Mohalla-Malikana, P.S.- Masaurih, District- Patna
2. Md. Raushan @ Md. Raushan Alam Son Of Ali Hasan @ Bega R/O Village/Mohalla- Malikana, P.S.- Masaurih, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Satish Kumar, Advocate  
For the State : Mr. Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

2      07-12-2023      Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioners seek bail in connection with  
Phulwarisharif P.S. Case No. 1380 of 2022 instituted for the  
offence under Section 395 of the Indian Penal Code.

3.      As per prosecution case, six unknown miscreants  
entered into the shop of the informant, and looted an amount to  
the tune of Rs. 1,50,000/- and some jewellery.

4.      It has been submitted on behalf of the petitioners  
that the petitioners are remanded in this case since 24-02-2023.  
Petitioner have six criminal antecedents, as per disclosure made  
in paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Petitioners are not named in the F.I.R. Their names have surfaced on the basis of confessional statement of co-accused, namely, Vikash Kumar and Deepak Kumar. T.I. Parade has not been conducted. Other co-accused have been allowed bail by Co-ordinate Bench of this Court passed in Cr. Misc. No. 47743 of 2023 and 54804 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners and claim based on parity, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Phulwarisharif P.S. Case No. 1380 of 2022 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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