

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71670 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- MAHINDWARA District- Sitamarhi

1. Niraj Kumar @ Neeraj Kumar, Son of Ram Sharan Ray, R/o- Village- Mahesa Farakpur, Ward No. 04, P.S.- Mahindwara, District.- Sitamarhi
2. Rahul Kumar, Son of Ram Sharan Ray, R/o- Village- Mahesa Farakpur, Ward No. 04, P.S.- Mahindwara, District.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prabhat Kumar, Advocate Mr. Prasoon Sinha, Advocate Mr. Amarnath Kumar, Advocate
For the Opposite Party/s :		Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-11-2023

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Mahindwara P.S. Case no. 128 of 2023, registered under sections 307, 341, 323, 333, 353, 506, 504, 354 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that on secret information having been received, it was informed that Vijay Kumar @ Gamlar who is involved in the work of stealing and theft of vehicle etc is at his house. It is stated that a raid was conducted and the said Vijay Kumar @ Gamlar was taken into custody, however, the other three named accused persons including the two petitioners herein and eight to ten unknown accused persons started to abuse and assault the



informant and others and made an attempt to facilitate the escape of the said Vijay Kumar @ Gamlar.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. No such occurrence as alleged in the FIR has taken place. On the protest by the petitioners, the petitioners and others were also taken into custody. They have no criminal antecedent and are in custody since 30.8.2023.

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

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioners in the FIR, their being in custody since 30.8.2023 and not having any criminal antecedent, both the petitioners are directed to be enlarged on bail in connection with Mahindwara P.S. Case no.128 of 2023, on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi.

(Partha Sarthy, J)

avinash/-

U		T	
---	--	---	--

