

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12248 of 2024

Arising Out of PS. Case No.-1365 Year-2022 Thana- PHULWARISHARIF District- Patna

1. Md Ejaj Hasan @ Kuku Son of Ali Hasan @ Benga @ Ali Sasan @ Bega Resident of Vill.-Malikana, P.S.-Masaurhi, Distt.-Patna
2. Md. Raushan @ Md. Raushan Alam Son of Ali Hasan @ Benga @ Ali Sasan @ Bega Resident of Vill.-Malikana, P.S.-Masaurhi, Distt.-Patna
3. Md. Tanvir Alam @ Tanni Son of Ali Hasan @ Benga @ Ali Sasan @ Bega Resident of Vill.-Malikana, P.S.-Masaurhi, Distt.-Patna
4. Sahil Mansuri Son of Alam Mansuri @ Alam Anshari Resident of Vill.-Adampur, Piplama, P.S.-Naubatpur, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

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

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
Phulwarisharif P.S. Case No. 1365 of 2022 instituted for the
offences under Section 394 of the Indian Penal Code.

3. As per prosecution case, four unknown miscreants
have assaulted the Informant, abused him and, thereafter, on the
point of pistol, looted cash to the tune of Rs. 27,000/- and also
snatched Rs. 7,000/- along with his purse containing his driving
license.



4. Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in the present case. The petitioners are not named in the F.I.R. and their names are surfaced in this case on the confessional statement of co-accused Vikash Kumar. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners have altogether five criminal antecedents of similar nature as has been stated in paragraph no.3 of the present bail application. The petitioners are languishing in judicial custody since 08.06.2023. No T.I.P. has been conducted in this case.

5. Learned counsel for the petitioners again submits that co-accused, who has named the petitioners in his confessional statement, has been enlarged on bail by a Co-ordinate Bench of this Court dated 28.11.2023 passed in Cr. Misc. No. 73169 of 2023. He has further stated that several similarly situated co-accused persons have also been enlarged on bail by a Co-ordinate Bench of this Court vide orders dated 18.10.2023, 04.12.2023, 19.12.2023 and 10.01.2024 passed in Cr. Misc. Nos. 68093 of 2023, 76928 of 2023, 81932 of 2023 and 84113 of 2023 respectively.

6. Learned A.P.P. for the State has vehemently



opposed the prayer for grant of bail to the petitioners.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioners as also considering the claim for bail being based on parity, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Phulwarisharif P.S. Case No. 1365 of 2022.

(Rudra Prakash Mishra, J)

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