

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13426 of 2024

Arising Out of PS. Case No.-398 Year-2023 Thana- GORAUL District- Vaishali

Vikram Kumar SON OF ARVIND RAM @ ARVIN KUMAR R/O
VILLAGE- HARPUR ARRA, P.S.- GORAUL, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 14373 of 2024

Arising Out of PS. Case No.-398 Year-2023 Thana- GORAUL District- Vaishali

Ankit Kumar Son of Ramnath Bhagat @ Ram Nath Bhakta Resident of
Village- Bishunpur Arara, Police Station- Goraul (Katahara O.P.), Dist.-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 15274 of 2024

Arising Out of PS. Case No.-398 Year-2023 Thana- GORAUL District- Vaishali

Rajesh Raushan @ Raja S/o Prem Kumar R/o Village- Harpur Arara, P.S.
Gorual, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 13426 of 2024)
For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 14373 of 2024)
For the Petitioner/s : Mr. Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 15274 of 2024)
For the Petitioner/s : Mr. Hemant Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP



CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 18-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with Goraul (Katahara O.P.) P.S. Case No. 398 of 2023 registered for the offence under Section 395, 397 of Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case in brief, is that on 19.09.2023 at 7:30 P.M. the informant was sitting at his grocery shop and at that time all of a sudden 6 miscreants borne on two motorcycle of without number plate came and four miscreants entered into his shop and two miscreants were standing outside the counter. They put revolver in the temple of the informant and they looted away about Rs. 20,000/- from the cash box and Rs. 80,000/- which was kept in bag and some documents and started fleeing away. The neighbour Mantu Shrivastava tried to chase the miscreants but the miscreants fired on him, which hit on his right shoulder and he became injured. All the miscreants fled away by making firing in air.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. He further submits that petitioners are not named in the FIR. The FIR has been lodged against 6 unknown persons and



the petitioners are in custody since 17.10.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR and impugned order dated 23.01.2024, it appears that informant lodged FIR against unknown persons and the name of the petitioners surfaced on the confessional statement of co-accused Sunny Kumar. Nothing has been recovered from the possessions of the petitioners, no TIP conducted till date. It also appears that investigation is already concluded and charge sheet has already been submitted in this case.

7. Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, be released on bail *after commitment of the case, if not committed* on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M. / concerned Court, Vaishali at Hajipur in connection with Goraul (kathara O.P.) P.S. Case No. 398 of 2023.

(Ramesh Chand Malviya, J)

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