

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18440 of 2024

Arising Out of PS. Case No.-309 Year-2023 Thana- LALGANJ District- Vaishali

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1. VIJAY KUMAR SAH @ VIJAY SAH S/o Batoran Sah Resident of Lalkothi Road, P.S.-Katihar, District-Katihar.
 2. PIYUSH KUMAR S/o Parshuram Singh @ Parshuram Soni Resident of Village-Tetari, P.s.-Dandari, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Lalganj P.S. case No. 309 of 2023 instituted for the offences under Sections 379 of the Indian Penal Code.

3. Prosecution allegation, in short, is that impersonating themselves as jewelry cleaners, the accused persons looted the jewelry of the daughter-in-law of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners are not named in the F.I.R. The



names of the petitioners have transpired on the basis of self confession of petitioner No. 2 made before the police. Which has no evidentiary value. The petitioners have been remanded in this case from Mahua P.S. case No. 643 of 2023. Charge-sheet has been submitted in this case. The petitioners have not been put on Test Identification Parade to ascertain their participation in the alleged occurrence. The petitioners are in custody since 17.10.2023. The petitioner No. 1 has five while petitioner No. 2 has four criminal antecedents in which they are on bail.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners 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 Lalganj P.S. case No. 309 of 2023 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)

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