

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22270 of 2024

Arising Out of PS. Case No.-10 Year-2016 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Kumareshan S/o Darmer Resident of village Gandhi Nagar Ps Solan Nagar Gandhi Nagar District Tiruchapalli (Tamilnadu)
2. Murugeshsan S/o Akash Thiyar Correct name of father is Arumugam Resident of village Gandhi Nagar Ps Solan Nagar Gandhi Nagar District Tiruchapalli (Tamilnadu)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Opposite Party/s : Mr.Md. Mushtaque Alam

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

ORAL ORDER

2 01-04-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek regular bail in Mohania P.S.
Case No. 10 of 2016, instituted for the offences under sections
395, 412 of the Indian Penal Code.

3. As per prosecution case, on 06.01.2016, co-
accused namely, K. Suresh was apprehended on the spot while
he was trying to flee after committing theft of Rs. 47 lakh
from Bank of India situated at Mohania.

4. Learned counsel appearing on behalf of the



petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this present case merely on the basis of confessional statement of co-accused. The petitioners have no concern with the alleged occurrence and they have not been apprehended on the spot. Neither the petitioners were put on TIP nor anything has been recovered from their conscious possession. The co-accused who confessed name of these petitioners has already been acquitted in S. Tr. No. 229 of 2016 and 397 of 2017. It is further submitted that the petitioners have no criminal antecedent. They are languishing in judicial custody since 16.09.2023 and 02.12.2023 respectively.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioners on bail.

7. Let the petitioners be released on bail *after framing of charge, if already not framed* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Kaimur at Bhabhua in connection with Mohania P.S. Case No. 10 of 2016. Subject to the following conditions:-

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

(II) The petitioner 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 petitioner.

(Rudra Prakash Mishra, J)

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