

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21835 of 2024

Arising Out of PS. Case No.-289 Year-2023 Thana- JANDAHA District- Vaishali

Sunny Kumar SON OF DHARMENDRA SHARMA RESIDENT OF
VILLAGE- MOHIUDDINPUR GARAH, PS- JANDAHA, DIST-
VAISHALI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 22390 of 2024

Arising Out of PS. Case No.-289 Year-2023 Thana- JANDAHA District- Vaishali

PRABHAT KUMAR SON OF SUBODH ROY RESIDENT OF VILLAGE -
SHEKHPUR, P.S. - RAJAPAKAR, DISTRICT - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 21835 of 2024)

For the Petitioner/s : Mr.Md Soban Asghar, Adv.

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

(In CRIMINAL MISCELLANEOUS No. 22390 of 2024)

For the Petitioner/s : Mr.Rupa Kumari, Adv.

For the Opposite Party/s : Mr.Dr. Indihar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 03-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have preferred this application for
grant of regular bail in connection with Jandaha P.S. Case No. 289
of 2023 dated 14.09.2023 registered for the offences punishable
u/s 395 of the Indian Penal Code.



3. As per the prosecution case, the informant got a call on his mobile for hiring his Bolero vehicle for going to Sarai Bhakurahar and he said that he has to reach at Bateshwar Nath mela and all the proposed passengers will go from there. It is further stated that the informant reached Bateshwar Nath mela then six boys aged about 20 to 25 years approached him and they sat on his vehicle and directed him to drive towards Bakhari. When they reached near Bahasi Chavar then one of them pretended vomiting and asked to stop the vehicle and when the informant stopped the vehicle, one of them pointed gun on the informant and the other co-accused persons assaulted, tied him and then threw him in the nearby field. Thereafter, the accused persons fled away with the vehicle of the informant and also took his mobile phone.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not named in the F.I.R. The petitioners are remanded in the present case from Jandaha P.S. Case No. 290 of 2023 only on the basis of suspicion. No T.I.P has been conducted by the prosecution. It is further submitted that the petitioners have no concern with the alleged offence. The petitioner Sunny Kumar has two criminal antecedents whereas the petitioner Prabhat Kumar has one criminal antecedent as stated in



para 3 of the bail petition. The petitioner Sunny Kumar is in custody since 14.09.2023 and the petitioner Prabhat Kumar is in custody since 03.01.2024 respectively.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 289 of 2023 with the condition/s:-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of their bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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