

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25097 of 2024

Arising Out of PS. Case No.-69 Year-2023 Thana- INDUSTRIAL AREA District- Vaishali

Rahul Kumar Son of Shankar Sah @ Shyam Babu Saw Resident of Village-
Diwan Muhalla Pati Ki Bag, Police Station- Khajekalan, in the district of
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 25366 of 2024

Arising Out of PS. Case No.-69 Year-2023 Thana- INDUSTRIAL AREA District- Vaishali

Raj Kumar @ Bhallu Sonof Shankar Sah @ Shyam Babu Saw Resident of
Village- Diwan Muhalla Pati Ki Bag, Police Station- Khajekalan, in the
District of Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 25428 of 2024

Arising Out of PS. Case No.-69 Year-2023 Thana- INDUSTRIAL AREA District- Vaishali

VIKKY PASWAN @ VICKY PASWAN S/O ARJUN PASWAN Resident of
Belwarganj Dushadh Toli, P.S- Alamganj, District- Patna at present in house
of Pankaj Singh at Hahampar, P.S- Khajekalan, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 25097 of 2024)

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 25366 of 2024)

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 25428 of 2024)

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate



For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-04-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Hajipur Industrial Area P.S. Case no.69 of 2023 registered under section 395 of the Indian Penal Code.

3. As per the prosecution case, the informant states that six accused persons on a motorcycle came to his shop variously armed and looted 200 grams of ornaments and Rs. 1 lac in cash.

4. Learned counsel for the petitioner- Rahul Kumar submits that the petitioner has been falsely implicated in the case on the basis of his name being taken in the confessional statement of co-accused Vikky Kumar before the police. He was not identified in the TI parade and contrary to the allegations, no incriminating article has been recovered from his possession. The cause of false implication is his antecedents. He is in custody since 27.7.2023.

5. Learned counsel for the petitioner- Raj Kumar submits that the petitioner has been falsely implicated in the case on the basis of his name being taken in the confessional



statement of co-accused Rahul Kumar made before police. He was not identified in the TI parade nor any incriminating article has been recovered from his possession. He is in custody since 27.7.2023.

6. Learned counsel for the petitioner- Vikky Paswan submits that the petitioner has been falsely implicated in the case on the basis of his name being taken in the confessional statement of co-accused Rahul Kumar and subsequently Vikky Paswan. He was put on TI parade but not identified therein. Contrary to the allegations, no incriminating article has been recovered from his possession. He is in custody since 27.7.2023.

7. The application for bail is opposed by learned A.P.P for the State who submits that the petitioners have criminal antecedents and from the possession of two some stolen articles have been recovered. However it is admitted that none of the petitioners were identified in the TI parade.

8. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the nature of material that has transpired in course of investigation, the petitioners not having been identified in the TI parade, all of them being in custody for more than 6 months since 27.7.2023 and charge-sheet having been submitted in the case, all the three



petitioners are directed to be enlarged on bail in connection with Hajipur Industrial Area P.S. Case no.69 of 2023 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

