

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31805 of 2024

Arising Out of PS. Case No.-263 Year-2022 Thana- KISHANPUR District- Supaul

Devchan Kumar Mukhiya son of Bechan Mukhiya Vill- Majhari W.No-7, Ps-
Nirmali Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 33367 of 2024

Arising Out of PS. Case No.-263 Year-2022 Thana- KISHANPUR District- Supaul

Vijay Kumar Mehta Son of Bharat Mehta R/o Village- Majhari, Ward No.-08,
P.S.- Nirmali, Dist.-Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 31805 of 2024)
For the Petitioner/s : Mr.Lakshmindra Kumar Yadav
For the Opposite Party/s : Mr.Anand Kishore Choudhary
(In CRIMINAL MISCELLANEOUS No. 33367 of 2024)
For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners are accused in connection with

Kishanpur P.S. Case No. 263 of 2022 registered for the offences

under section 394 of the Indian Penal Code and section 27 of the

Arms Act lodged on 24.10.2022 by the informant, Ram Sundar



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3. As per the prosecution story, on 23.10.2022 at about 20:00 P.M. in the night, the informant proceeded from Lalpur Singheshwar, Madhepura towards Bhajnaha by his Pletina Motorcycle bearing Registration No.BR-32F-6671. As soon as he reached on N.H.- 57A at PACS Godown at about 20:30 P.M., two persons riding on motorcycle came from Bhaptiyahi side, stopped him and tried to snatch his motorcycle on the point pistol. When he protested, the miscreants fired upon him and looted away his motorcycle as also Rs.20,000/- from pocket and a 'Redmi' mobile phone and fled away. Subsequently, he was brought to hospital by Kishanpur patrolling Police where his treatment was made. Accordingly, the FIR.

4. Learned Counsel for the petitioners submit that despite the fact that they are in custody since 17.01.2024, no T.I.Parade has been done. Further, they are ready to abide by all the terms and conditions, if granted bail.

5. Learned APP for the State, on the other hand, opposes the prayer for bail.

6. Considering the fact that the petitioners have remained in custody since 17.01.2024, are young boys of 20



years and do not have criminal antecedent, this Court is inclined to extend them the privilege of bail. If however, if it is found that they do have criminal antecedent, the bail order shall become infructuous.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul/or concerned court, in connection with Kishanpur P.S. Case No. 263 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his bona fide;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioners shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences
failing which the State shall be at liberty to take steps for
cancellation of their bail bonds;

(v) the petitioners shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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