

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33321 of 2024**

Arising Out of PS. Case No.-4 Year-2024 Thana- PUSA District- Samastipur

1. Chandan Kumar @ Rajnish Son of Yogendra Prasad R/O Vill.- Morsand, P.S.- Pusa, Dist.-Samastipur
2. Prakash Kumar @ Prakash Sahni Son of Krishnadev Sahni R/O Vill.- Morsand dih, P.S.- Pusa, Dist.-Samastipur
3. Jeet Pulinder Kumar @ Tun Son of Satto Sahni R/O Vill.- Punas, P.S.- Karpuri Gram, Dist.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      22-05-2024

Heard the parties.

2. The petitioners are apprehending arrest in connection with Pusa P.S. Case No. 04 of 2024 instituted under Section 382 of the Indian Penal Code lodged on 10.01.2024 by the informant, Rajayashvant Kumar.

3. As per the prosecution story, the informant alleged that they had gone to collect the money of the group in the village Morsand and while returning he was intercepted by the accused persons, took away his motorcycle alongwith collected amount of Rs. 82,260/- as also the electronic gadgets. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that they have no role to play in the matter, none of them have criminal antecedent and only because of confessional statement of Aman



Kumar, they have been implicated.

5. Learned APP opposes the prayer stating that their names have come in the confessional statement of Aman Kumar.

6. Taking into account the fact that the petitioners do not have criminal antecedent, the names have come in the confessional statement of Aman Kumar, this Court is inclined to extend them the privilege of anticipatory bail. However, if it is found that any of the petitioner is having criminal antecedent, contrary to the statement made in the present petition, the bail order regarding the said accused shall become infructuous.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Pusa P.S. Case No. 04 of 2024 to the satisfaction of learned Judicial Magistrate-1st Class, Samastipur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her 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 co-operate in the investigation and make themselves available to the police as and when required;

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

(v) 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 the bail bonds;

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

**(Rajiv Roy, J)**

Ravi/-

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