

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33023 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- KARJA District- Muzaffarpur

Chandan Kumar S/o Ram Bachchan Prasad Yadav R/o vill - Nawada, P.S. -
Sahebganj, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 35424 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- KARJA District- Muzaffarpur

Mithlesh Kumar S/o- Raj Kishor Ray Resident of Village- Nawada, PS-
Sahebganj District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 44832 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- KARJA District- Muzaffarpur

Aakash Kumar S/o Brij Kishor Singh R/o Village-Baitapur, P.S.-Sahebganj,
District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar r

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 48708 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- KARJA District- Muzaffarpur

Abhishek Kumar Son of Kavindra Ray Resident of Vill- Jagdishpur Morhar,
P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar



... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 33023 of 2024)

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

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

(In CRIMINAL MISCELLANEOUS No. 35424 of 2024)

For the Petitioner/s : Mr.Upendra Kumar Chaubey, Adv.

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

(In CRIMINAL MISCELLANEOUS No. 44832 of 2024)

For the Petitioner/s : Mr.Sunil Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 48708 of 2024)

For the Petitioner/s : Mr.Sunil Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 26-07-2024 1. All the four bail petitions have arisen out of the
same P.S. case, hence the prayer for bail made by all the
petitioners is being disposed of by a common order.

2. Heard the parties.

3. Petitioners seek regular bail in connection with Karja P.S. Case No. 31 of 2024 dated 30.01.2024 registered for the offence(s) punishable under Section(s) 392 and 395 of the Indian Penal Code and section 27 of Arms Act.

4. Mr. Alok Kumar Pandey, learned counsel for the petitioner, Chandan Kumar submits that F.I.R. was registered against unknown, the petitioner was initially arrested in connection with Paroo P.S. case No. 35/ 2024 from where he was remanded in the present matter and after his remand the police failed to recover any incriminating material relevant to



the alleged loot from his possession or on the basis of any disclosure. In fact, one co-accused, Avinash made his confessional statement in Paroo P.S. case No. 35/ 2024 and on that basis the petitioner was remanded in the present matter and except the statement of co-accused, Avinash there is no material against this petitioner. Though, the petitioner has criminal antecedent of one case in which he is on bail and investigation has been completed against him.

5. Mr. Upendra Kumar Choubey, learned counsel for the petitioner, Mithilesh Kumar adopts the above submission.

6. Mr. Sunil Kumar Pandey, learned counsel for the petitioners, Aakash Kumar and Abhishek Kumar submits that petitioners have been made accused in the instant matter mainly on the basis of confessional statement of co-accused, Chandan Kumar and except this, there is no material to connect them to the alleged offence and they were not put on Test Identification Parade and no part of looted money or articles were recovered from their possession though against the petitioner, Akash Kumar there are criminal antecedents of three cases out of which in two cases he has been granted bail and against petitioner, Abhishek Kumar there are criminal antecedents of two cases but he has been granted bail in one case.



7. Though, Mr. Awadhesh Kumar Singh, Mr. Manoj Kumar, Mr. Uday Chand Prasad and Mr. Rajiv Nayan, learned APPs appearing for the State opposed the bail prayer but fairly accepted that against the petitioners there is no material except the confessional statement of co-accused.

8. Having regard to the above submissions and mainly considering the above mentioned pleas taken by the petitioners which have not been refuted by the learned APPs and also completion of investigation against the petitioners, in my opinion, in the said circumstances, the petitioners deserve to the privilege of bail. Accordingly, let the petitioners named-above be released on bail **after framing of charge** in connection with Karja P.S. Case No. 31 of 2024 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

9. The trial court is directed to take steps to frame charges upon the petitioners, as per procedure of law, as early as possible.

(Shailendra Singh, J)

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