

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53053 of 2024

Arising Out of PS. Case No.-108 Year-2024 Thana- ADAPUR District- East Champaran

1. Anish Kumar @ Bhola S/o- Devendra Yadav Both Resident OF Village- Koraiya Ps- Mahuawa Dist- East Champaran
2. Baleshwar Kumar son of Rampukar Ray Both Resident OF Village- Koraiya Ps- Mahuawa Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.
For the Opposite Party/s : Ms.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 09-08-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seeks bail in connection with Adapur P.S. Case No. 108 of 2024 instituted for the offences under Section 392 of the Indian Penal Code.

3. As per prosecution case, in short, is that while the Informant was returning after collecting money, three unknown persons riding on one Apache came, surrounded him and after looting the motorcycle, cash of Rs. 60,000/- and a tab of the Informant, fled away from there. Allegation has been made against the petitioners of being involved in the alleged occurrence of looting.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. The petitioners are not named in the F.I.R. and they have been implicated in this case only on the basis of the disclosures made by the co-accused Dilip Kumar. The petitioners have no concern with the seized motorcycle. The petitioners have been remanded in this case from Adapur P.S. Case No. 110 of 2024 and, since then, they are in custody. The petitioners have no concern with the alleged occurrence. The petitioner no.1 has one criminal antecedent in which he is on bail and the petitioner no.2 has two criminal antecedents and in both of them, he is on bail. Till date, no T.I.P. has been conducted in this case.

5. Learned counsel for the petitioners again submits that the co-accused namely Dilip Kumar has been granted bail by this Court vide order dated 26.07.2024 passed in Cr. Misc. No. 39864 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Adapur P.S. Case No. 108 of 2024.

(Rudra Prakash Mishra, J)

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