

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53575 of 2024

Arising Out of PS. Case No.-859 Year-2023 Thana- SITAMARHI District- Sitamarhi

1. ROHIT RAM S/O SHIV SHANKAR RAM R/O VILLAGE- LACHHUA, P.S- BATHNAHA, DISTT.- SITAMARHI.
2. SONU KUMAR S/O RAM BISHWAS PASWAN R/O VILLAGE- BARIARPUR, P.S- SITAMARHI, DISTT.- SITAMARHI.

... .. Petitioner/s

Versus

The State Of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Zaki Haider, Adv.

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 27-08-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Sitamarhi P.S. Case No. 859 of 2023 dated 15.11.2023 registered for the offences punishable u/ss 307, 324, 356, 382 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, three unknown miscreants boarded on a motorcycle are alleged to have assaulted the informant and snatched his wallet and mobile phone. On being objected by the informant, the accused persons stabbed the informant his right arm and shoulder due to which



the informant became injured then the accused persons have taken the motorcycle of the informant and fled away.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not named in the F.I.R. The petitioners have been remanded in the present case merely on suspicion and on the basis of false allegation made in connected case bearing Parihar P.S. Case No. 39/2024. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel has further submitted that the petitioner has no concern with the alleged offence. The petitioner no. 1 has two criminal antecedents whereas the petitioner no. 2 has one criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 15.03.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners and submitted that the said stolen motorcycle was recovered from the possession of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing



bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with Sitamarhi P.S. Case No. 859 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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