

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56398 of 2024

Arising Out of PS. Case No.-288 Year-2022 Thana- MOTIPUR District- Muzaffarpur

1. Uma Shankar Bhagat @ Umashankar Bhagat @ Umashankar Prasad Son Of Basdev Bhagat R/O Village- Bulaki Tola, P.S.- Rajepur, District- East Champaran
2. Uday Prasad @ Mahatma@ Malhotra Son Of Sri Vindeshwar Das @ Bindeshwari Bhagat R/O Village- Gadh Kharar, P.S.- Minapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners seek bail in a case registered for the
offence punishable under Section 395 of the Indian Penal Code.

3. Allegedly, the pickup van of the informant along
with goods loaded thereon was overtaken on a black colored
four wheeler and has been looted by the miscreants.

4. Learned counsel for the petitioners submits that
the petitioners are innocent and have been falsely implicated in
this case. He submits that the name of the petitioners has been
transpired in the present case merely on the basis of
confessional statement of co-accused Subodh Ram. He submits



that similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 20.07.2023 passed in Cr. Misc. No. 26668 of 2023. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application and they are languishing in judicial custody since 31.05.2024.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case and the fact that the similarly situated co-accused has been granted bail, let the above named petitioners be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Motipur P.S. Case No. 288 of 2022, subject to the conditions:

(1) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or their wife.

(II) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

(III) The petitioners will be well represented on each and every date fixed in the case and if they fail to do so on two



consecutive dates their bail bonds shall be liable to be cancelled.

(IV) The petitioners shall co-operate with the investigation, if not already concluded and make themselves available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(V) The petitioners will mark their attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of their bail bond.

(Anjani Kumar Sharan, J)

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