

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69572 of 2024

Arising Out of PS. Case No.-327 Year-2023 Thana- DALSINGHSARAI District- Samastipur

1. Pradeep Kumar, Son of Laddu Lal Sahani,
2. Rajesh Kumar @ Rajesh Sahni, Son of Laddu Lal Sahni
R/O Village- Manjhaul Bichkhana, Ward No. 14, P.S.- Cheriabariyarpur,
District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No 1, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Dalsinghsarai P.S. Case No. 327 of 2023, registered for the alleged offences under Sections 457, 380, 411/34 of the Indian Penal Code.

3. As per prosecution case, a theft was committed in the dwelling house of the informant and the thieves took away a box containing Rs.18,000/-. The name of the petitioners transpired during investigation for being involved in the theft.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in



this case. Nothing incriminating has been recovered from the conscious possession of this petitioners. The petitioners have been made accused in this case on the basis of confessional statement of co-accused Vikas Kumar. The petitioners were apprehended on suspicion in Dalsinghsarai P.S. Case No. 329/2023 and they were remanded in this case on 13.10.2023. Thereafter, the petitioners have been named in altogether 18 cases. The learned counsel further submits that similarly placed co-accused persons namely, Uttam Kumar and Rinku Kumari, having same type of antecedent, have been granted bail by the learned court below itself and they were also apprehended in Dalsinghsarai P.S. Case No. 329 of 2023. The learned counsel further submits that the petitioners are in custody for about one year in the present case. The charge sheet has been submitted.

5. The learned A.P.P. opposes the submission made on behalf of the petitioners. The learned APP submits that the petitioners appear to be habitual offenders.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioners, the petitioners are directed to 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 learned Judicial Magistrate 1st Class, Dalsinghsarai, Samastipur, in connection with Dalsinghsarai P.S. Case No. 327 of 2023, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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