

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69753 of 2024

Arising Out of PS. Case No.-302 Year-2023 Thana- DALSINGHSARAI District- Samastipur

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

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 17-12-2024 Heard learned counsel for the petitioners and learned APP
for the State. Perused the case diary.

2. The petitioners seek bail in connection with Dalsingsarai P.S. Case No. 302 of 2023 instituted for the offence under Sections 457, 380 of the Indian Penal Code (for brevity 'the IPC'), but charge has been submitted under Sections 457, 380, 411 & 34 of the IPC.

3. Prosecution case in a nutshell is that some unknown miscreants have committed theft of gold and silver ornaments worth Rs. 5 lakhs, from the house of the informant.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 20-10-2023. Petitioners



bear eighteen criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Petitioners are not named in the FIR. Name of the petitioners sprang in this case on the basis of confessional of co-accused, Vikash Kumar. Nothing has been recovered from the possession of the petitioners. Petitioners were not even put on T.I. Parade. It is submitted that as a matter of fact, petitioners' family are fisher man and they have a fish shop in the village and due to high handedness of anti-social elements, they have been falsely implicated in this case. It is lastly submitted that cognizance has also been taken in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. It is submitted that petitioners bear eighteen criminal antecedents, hence they do not deserve the privilege grant of bail.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners and charge being framed in this case, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners 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 Dalsingsarai P.S. Case No. 302 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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