

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74501 of 2024

Arising Out of PS. Case No.-260 Year-2024 Thana- CHIRAIYA District- East Champaran

1. Lawkesh Kumar @ Lokesh Kumar @ Lokesh Kumar Yadav, Son of Amar Rai, Resident of Village- Katkuiya, P.S.- Chiraiya, Distt.- East Champaran
2. Ladu Kumar, Son of Naresh Rai, Resident of Village- Raghopur, P.S.- Chiraiya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 20-12-2024 Heard learned counsel for the petitioners and Mr. Pranav Kumar, learned APP for the State.

2. The petitioners have prayed for bail in connection with Chiraiya P.S. Case No. 260 of 2024 registered for the offence punishable under Sections 395 and 397 of the Indian Penal Code.

3. The case of the prosecution is that on the date of occurrence, the informant was having Rs. 1,77,000/- along with Debit Card and other documents in a bag on his bike. As he reached near Raghopur Pool, two persons on a bike and three persons on a bike without number intercepted him and pointed pistol on him. It is further alleged that he was assaulted by butt



of the pistol and all the valuable articles were snatched by the unknown miscreants. The case was filed against unknown miscreants. During investigation, petitioner no.2 was apprehended. He has given his confessional statement and in his confessional statement he has also discovered the indulgence of petitioner no. 1 in the occurrence.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. It is further submitted petitioners are languishing in judicial custody since 18.06.2024 but no T.I.P. has been conducted by the Investigating Officer. From perusal of the order of the trial Court, it transpires that arms, mobile and motorcycle used in the occurrence were recovered from the house of the petitioner no.1 Lawkesh Kumar. Learned counsel for petitioners has further submitted that the seized bike belongs to petitioner no. 1. It has also been argued by learned counsel for the petitioners that one of the co-accused has been granted anticipatory bail by this Court vide order dated 25.11.2024 passed in Cr. Misc. No. 78499 of 2024.

5. The application for bail is opposed by learned APP for the State.



6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned J.M.F.C., Sikrahna at Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 260 of 2024.

(Ashok Kumar Pandey, J)

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