

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72506 of 2023

Arising Out of PS. Case No.-80 Year-2022 Thana- MAHINDWARA District- Sitamarhi

Shivam Kumar @ Bhujali Son Of Satyendra Singh R/O Village- Korlahiya
Mansingh, Ward No.6, P.S.- Mahindwara, District- Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 329 of 2024

Arising Out of PS. Case No.-80 Year-2022 Thana- MAHINDWARA District- Sitamarhi

1. Sanyog Kumar @ Sanyog Rai S/O Sukul Rai R/O Village- Korlahiya, P.S- Mahindwara, Distt.- Sitamarhi.
2. Sanjit Kumar @ Santosh Kumar S/O Sukul Rai R/O Village- Korlahiya, P.S- Mahindwara, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 72506 of 2023)

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Sharda Kumari

(In CRIMINAL MISCELLANEOUS No. 329 of 2024)

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for

grant of regular bail in a case registered for the offences

punishable under Sections 395 of the Indian Penal Code.



Prosecution case lodged by the informant, being the driver of the Truck bearing Reg. No. BR-30G-6652. According to the prosecution, while the informant proceeded with the said Truck, laden with TMT iron rod, from Bihta to Olipur, a bolero vehicle overtook his truck and signaled to stop. In the meantime, 5-6 miscreants boarded on the truck and pulled the informant out. They tied him and took out his mobile. It is further alleged that they proceeded with the aforesaid Truck and threw the informant at a lonely place.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. Neither the petitioners are named in F.I.R. nor they have been put on T.I.P. Nothing has been recovered from the conscious possession of the petitioners. The name of petitioner (Cr. Misc. No. 72506 of 2023) sprang up in this case on the basis of his self confessional statement and the name of petitioners, namely, Sanyog Kumar and Sanjit Kumar came in light on the confessional statement of petitioner (Cr. Misc. No. 72506 of 2023),



namely, Shivam Kumar. Moreover, the petitioners are languishing in judicial custody for more than 7 months.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Mahindwara P.S. Case No. 80 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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