

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75168 of 2023

Arising Out of PS. Case No.-224 Year-2023 Thana- SANGRAMPUR District- Munger

1. Harsh Kumar Singh, aged about 19 years, Male Son of Indra Bhuhan Singh @ Babul Singh @ Chandra Bhushan Singh.
2. Prince Kumar @ Chhotu Kumar @ Chhotu Singh, aged about 19 years, Male, son of Bindu Bhushan Singh @ Dablu.
Both resident of Village- Supaur Jamua, P.S. Sangrampur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 75676 of 2023

Arising Out of PS. Case No.-224 Year-2023 Thana- SANGRAMPUR District- Munger

Sanjeet Kumar Singh @ Sanjeet Singh @ Sanjeet Kumar, aged about 34 years, Gender-Male, Son of Atinandan Singh, Resident of Village- Supour (Jamua), P.S- Sangrampur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 75168 of 2023)

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

(In CRIMINAL MISCELLANEOUS No. 75676 of 2023)

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP I/C

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

4 26-02-2024 Heard learned counsel for the petitioners learned APP
for the State and learned counsel for the informant.

2. The petitioners seek bail in connection with



Sangrampur PS Case No. 224 of 2023 instituted for the offences punishable under Sections 457 and 380 of the Indian Penal Code.

3. As per the prosecution case, some accused persons entered into the house of the informant theft rifle, live cartridges and other documents.

4. Learned counsel for the petitioners submits that the petitioners are innocent and has committed no offence and has falsely been implicated in this case. He further submits that informant's wife contested the election of Mukhiya and in the said election the family members of the petitioners have not supported the informant's wife due to that inimical terms, the informant falsely implicate the petitioners in the instant case. He next submits that due to election rivalry the petitioners have falsely been implicated in this case. Neither there are any eye witness to the said occurrence nor any theft articles have been recovered from the possession of the petitioners. Petitioners have got no any criminal antecedent as stated in para-3 of the petition. Petitioners have named in the FIR in Cr. Misc. No. 75168 of 2023 and in Cr. Misc. No. 75676 of 2023, petitioner has not named in the FIR and his name surfaced in this case on the basis of re-statement of the informant.



5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioners.

6. From perusal of the FIR, case diary, seizure list and impugned order of the learned Additional District and Sessions Judge-1st, Munger dated 11.09.2023 and 20.09.2023, respectively, it appears that there are no recovery from the conscious possession of the petitioners. Petitioners are in custody since 25.07.2023 and 18.08.2023 respectively, accordingly the prayer for bail of the petitioners are allowed. Let the petitioners above named be released on bail ***after framing of charge*** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Munger / learned Chief Judicial Magistrate, Munger in connection with Sangrampur PS Case No. 224 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen days) from the date of receipt of a copy of this order. However, it is made clear that ***if the charge-sheet has not been submitted*** then the petitioner shall be released on bail on above conditions and they shall be present physically on



each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

Anand Kr.

U		T	
---	--	---	--

