

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 75533 of 2024

Arising Out of PS. Case No.-415 Year-2023 Thana- RIGA District- Sitamarhi

Dinbandhu Kumar @ Chhotu Son of Jai Kishun Ram Resident of Village-
Pokharbhinda, P.S.- Sahiyara, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 77709 of 2024

Arising Out of PS. Case No.-415 Year-2023 Thana- RIGA District- Sitamarhi

Amrit Kumar S/O Umesh Das @ Umesh Kumar Das R/O Village- Mela
Road, Naya Tola, P.S- Sitamarhi, Distt.- Sitamrhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 75533 of 2024)

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

(In CRIMINAL MISCELLANEOUS No. 77709 of 2024)

For the Petitioner/s : Ms. Divya Bharti, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-12-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with
Riga P.S. Case No. 415 of 2023 dated 07.10.2023, lodged under
Section 392 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against three unknown accused persons against whom
there is an allegation that they have committed robbery and



looted the motorcycle and other articles on the gun point.

4. Learned counsel for the petitioner of Cr. Misc. No. 75533 of 2024 submits that the petitioner is in custody since 11.01.2024. He further submits that his case is exactly similar to the case of accused Shibu Kumar Singh, who has been granted bail by this Court vide order dated 24.04.2024 passed in Cr. Misc. No. 13810 of 2024 and, therefore, by virtue of parity, bail may be granted to him also. He submits that there are seven criminal cases pending against him and seven cases was also pending against the said accused Shibu Kumar Singh to whom bail has been granted, therefore, his case is exactly similar to the present case. He further submits that the petitioner was not put on T.I.P.

5. Learned counsel for the petitioner of Cr. Misc. No. 77709 of 2024 submits that the petitioner is in custody since 13.06.2024. He submits that there are only two criminal cases pending against the petitioner and his case is on better footing, as nothing incriminating or any looted article has been recovered from his possession, nor he was put on T.I.P. and one co-accused has been granted bail by this Court vide order dated 24.04.2024 passed in Cr. Misc. No. 13810 of 2024. Learned counsel for both the cases submits that the petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them by the Court.



6. Learned A.P.P. for the State opposes the prayer for bail and submits that the Trial Court at the time of consideration of both the bail applications have categorically reached on the conclusion upon verification of the case diary that the looted article has been recovered from the possession of the petitioner of Cr. Misc. No. 75533 of 2024 and the motorcycle which has been used in commission of the crime belongs to the petitioner of Cr. Misc. No. 77709 of 2024. In this regard, a categorical statement has come in paragraph 84 and paragraphs 53 & 54 of the case diary respectively.

7. In the present facts and circumstances of this case and the submissions made above, it transpires to this Court that parity could not be granted to the petitioners, as the case of accused Shibu Kumar Singh is different from the case of the present petitioners, therefore, I am not inclined to grant bail to the petitioners and, therefore, their bail petitions are hereby rejected.

8. The Trial Court is directed to expedite the trial as early as possible.

(Dr. Anshuman, J.)

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