

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86392 of 2023

Arising Out of PS. Case No.-366 Year-2023 Thana- SHIVSAGAR District- Rohtas

Kundan Singh @ Chhotu Singh S/o- Shri Bhagwan Singh R/o Vill- Paschim
Tola, Shahpur, P.S- Shahpur, Dist- Bhojpur at Ara (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 3561 of 2024

Arising Out of PS. Case No.-366 Year-2023 Thana- SHIVSAGAR District- Rohtas

Mulayam Yadav @ Vishal Yadav S/O - Shiv Shankar Yadav R/O Village -
Itwa (Etaw), P.S.- Shahpur, District -Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 86392 of 2023)
For the Petitioner/s : Mr.Abhay Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Nand Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 3561 of 2024)
For the Petitioner/s : Mr.Abhay Kumar, Adv.
For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case
in connection with Shivsagar P.S. Case No. 366 of 2023 dated
29.08.2023 registered for the offences punishable u/s 392 of the
Indian Penal Code.



3. As per the prosecution case, four unknown miscreants are alleged to have intercepted the informant's truck which was loaded with rice and the accused persons forced the informant and others on the point of *katta* to sit in a car. They also looted their mobile phones and dropped them in a forest in the morning and fled away with the said truck.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners are not named in the F.I.R. During the course of investigation, the truck was recovered from Ara-Buxar National Highway near Banahi Road and looted rice was also recovered from the house of one person namely Manoj Yadav and from whose confessional statement, the name of the petitioners have sprung up in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. It is further submitted that the petitioners have no concern with the alleged offence. The petitioner namely Kundan Singh@ Chhotu Singh has no criminal antecedent whereas the petitioner Mulayam Yadav @ Vishal Yadav has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.



6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Rohtas at Sasaram in connection with Sheosagar P.S. Case No. 366 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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