

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17042 of 2025

Arising Out of PS. Case No.-139 Year-2024 Thana- Rampur Chauram District- Arwal

1. Chita Kumar, S/o Biroj Nut, R/o Village- Azad Nagar, P.S- Bikram, Distt.- Patna.
2. Depak Kumar, S/o Late Parma Dhor Nat, R/o Village and P.S- Lakoiti Tola, Distt.- Rohtash At present Residing at 57 Bigha, P.S. and Distt.- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-04-2025 Heard Mr. Mukesh Kumar, learned counsel for the
petitioners and Mr. Ahmad Ali, learned APP for the State.

2. At the outset, it is submitted by petitioners' counsel that the petitioner no.1 has criminal antecedent of one case but due to having no information regarding this fact, in paragraph no. 3 of the petition, it has been wrongly mentioned that the petitioner no. 1 has got no criminal antecedent and now, he has got information regarding the criminal antecedent of petitioner no. 1 and he seeks permission to make necessary correction in paragraph no. 3 of this petition in course of the day.

3. Permission as sought above is granted.

4. Petitioners seek regular bail in connection with



Rampur Choiram P.S. Case No. 139 of 2024 dated 12.11.2024 registered for the offences punishable under Sections 75(2) and 309(4) of the B.N.S.

5. The main submissions advanced by petitioners' counsel are that as per the prosecution story, both the petitioners are alleged to have looted the ornaments worn by the informant at the time of the commission of the alleged occurrence and thereafter, as per the allegation, the petitioners managed to escape and on chase, they were apprehended from the hospital when they were undergoing medical treatment but it is not the allegation that from their possession, the looted ornaments or any part of them, were recovered and in this regard, specific statements have been made in paragraph no. 11 of the petition and further, during the investigation, the petitioners were not put before the informant for identification through test identification parade as the informant did not claim to have known the petitioners before the occurrence, so, in such a situation, the identification procedure must have been adopted by the investigating officer to collect the material evidence but in this regard, no attempt was made. It is further submitted that petitioners have been languishing in jail since 13.11.2024 and against them, investigation has been completed and both the



petitioners are young age persons and petitioner no. 2 has fair and clean antecedent.

6. Learned APP for the State has opposed the prayer for bail of the petitioners.

7. Considering the aforesaid submissions and mainly taking into account the young age of the petitioners and also the completion of investigation against them, this Court is inclined to enlarge the petitioners on bail. Accordingly, let the petitioners named-above 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 the concerned Court in connection with Rampur Choiram P.S. Case No. 139 of 2024.

(Shailendra Singh, J)

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