

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21857 of 2025

Arising Out of PS. Case No.-48 Year-2024 Thana- PIRI BAZAR District- Lakhisarai

1. Himanshu Kumar S/o- Dinesh Yadav Village- Singhiya PS-Safiya Sarai, Dist- Munger
2. Chandan Kumar S/o- Vinod Yadav Village- Singhiya PS-Safiya Sarai, Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in connection with Piribazar P.S. Case No. 48 of 2024 corresponding to Sessions Trial No. 283 of 2024 registered for the offences punishable under Section 392 of the Indian Penal Code.

3. As per prosecution case, four unknown persons on three bikes intercepted the E-rickshaw at Abhaypur Railway Station near Kothiya Tal and took away two mobiles and Rs. 3000/- cash from the informant, earrings and two rings of gold and Rs. 1000/- from the informant's wife and Rs. 1000/- and one mobile from the driver of the E-rickshaw. Informant claimed to identify the miscreants on seeing.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have not committed any offence as alleged in the first information report. Petitioners are not named in the first information report and during course of investigation names of the petitioners have been surfaced, as is mentioned in the impugned order itself. Petitioners have not been put on T.I.P. No incriminating articles has been recovered from the conscious possession of these petitioners. Petitioners are in custody since 09.08.2024. Petitioners have criminal antecedent of two cases. Charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence. Learned counsel for the petitioners submits that co-accused persons namely, Jitendra Kumar @ Jittan & Sushant Kumar @ Rabara have already been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 85314 of 2024 and the case of the present petitioners stand on similar and identical footing.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and that similarly situated co-accused persons have been



granted bail by a co-ordinate Bench of this Court, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge III, Lakhisarai in connection with Piribazar P.S. Case No. 48 of 2024 corresponding to Sessions Trial No. 283 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

mcverma/-

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

