

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30498 of 2025

Arising Out of PS. Case No.-102 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

1. Guddu Kumar Son of Banka Mahto Resident of Village - Rasulpur Salim, P.S.- Ahiyapur, District - Muzaffarpur
2. Raushan Kumar Son of Arun Sah Resident of Village - Rasulpur Sali, P.S.- Ahiyapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioners are in custody in connection with Ahiyapur P.S Case No. 102 of 2025 registered for the offences punishable under Sections 309(6), 317(2) and 317(4) of BNS, 2023

3. As per allegation in the FIR, petitioners along with other co-accused person has assaulted the driver of e-rikshaw bearing Reg No. BR-06ER-9531 and took away his e-rikshaw along with worth Rs. 2500/-.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. He next



submits that occurrence took place on 13.01.2025 and FIR was registered on 23.01.2025 after 10 days. It is also submitted that petitioners were apprehended in connection with Rampurhari P.S. Case No. 18/2025 and police was remanded in this case on 13.02.2025. Moreover no TIP was done. Petitioner's name has been figured during the course of investigation and not a single drop of evidence has come against the petitioners. It is also submitted that petitioners are in judicial custody since 13.02.2025 having one antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioners.

6. On perusal of the FIR, impugned order dated, 02.04.2025, it appears that nothing incriminating has been recovered from the possession of the petitioner. Moreover, no TIP has been conducted and petitioners name have been figured during the confessional statement of the co-accused and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioners, let the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection



with Ahiyapur P.S Case No. 102 of 2025.

(Ramesh Chand Malviya, J)

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