

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38137 of 2025

Arising Out of PS. Case No.-19 Year-2024 Thana- Kasar District- Sheikhpura

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1. Kaushal Kumar Son of Badri Yadav Resident of village - Atari, P.S.- Dhamaul, Distt.- Nawada.
 2. Rahul Kumar Son of Sudama Yadav Resident of Village - Varuni, P.S.- Kasar, Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-06-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Kasar
P.S. Case No. 19 of 2024 instituted for the offence under Section
392 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
petitioners and others is of looting motorcycle of the informant.

4. It has been submitted on behalf of the petitioners
that the petitioners are in custody since 10-01-2025. Petitioner
No. 1 bear six (6) criminal antecedents whereas petitioner No.2
bear four (4) criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Petitioners are not named in the FIR. Name of the petitioners have transpired on the basis of confessional statement of co-accused, namely, Pradeep Kumar. Nothing has been recovered from the possession of the petitioners. Petitioners were not put on T.I. Parade. Other co-accused has been granted bail by this Court vide order dated 10-04-2025, passed in Cr. Misc. No. 19795 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners and claim based on parity, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kasar P.S. Case No. 19 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.



(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(III) If the petitioners tampers with the evidence or the witnesses of the case by intimidating/pressurizing the witnesses, during the investigation or trial, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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