

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74652 of 2024

Arising Out of PS. Case No.-403 Year-2023 Thana- SURYAGARHA District- Lakhisarai

Nilesh Kumar Son of Srilal Yadav Village- Walipur, P.S.- Pipariya, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 75132 of 2024

Arising Out of PS. Case No.-403 Year-2023 Thana- SURYAGARHA District- Lakhisarai

Santosh kumar S/O Parshuram Pandit R/O Walipur, P.S- Pipariya, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 74652 of 2024)
For the Petitioner/s : Mr. Binod Murari Mishra, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP
(In CRIMINAL MISCELLANEOUS No. 75132 of 2024)
For the Petitioner/s : Mr.Rajnish Chandra, Advocate
For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 29-01-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for grant of bail in
connection with Surajgarha P.S. Case No. 403 of 2023
registered under section 394 of the Indian Penal Code.

3. The case of the prosecution is that when the



informant was going from his bike near Daita Railway crossing, he found that 3-4 unknown persons were trying to snatch bike they surrounded him assaulted with knife and after that they snatched his bike and other bikes as well. The FIR was against unknown miscreants.

4. Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. During course of investigation, co-accused Sonu Kumar was apprehended and he has given his confessional statement in para-35 of the diary wherein he has named six persons. From perusal of the FIR, it is clear that the informant has stated that there were three to four persons whereas from confessional statement of Sonu he has stated that there were five to six persons. The name of both these petitioners has been surfaced on the confessional statement of Sonu. Nothing has been recovered from the possession of these petitioners rather the recovery has been made from the possession of co-accused Sonu Kumar which is clear from seizure list. Moreover, the petitioners are languishing in judicial custody since 29.05.2024.

5. The application for bail is opposed by learned APP for the State.



6. Having heard learned counsel for the parties and considering the facts and circumstances of this case, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Surajgarha P.S. Case No. 403 of 2023 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai.

(Ashok Kumar Pandey, J)

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