

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87184 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- SIMULTALLA District- Jamui

Mithu Mohali son of Karu Mohali Vill -Kawatol PS -Jhajha Dist- Jamui
... .. Petitioner/s
Versus
The State of Bihar
... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 87278 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- SIMULTALLA District- Jamui

Arun Rai @ Arun Ray S/O Mahendra Ray R/O Vill.- Amarmba Jhundo,P.S-
Kharia,Dist- Jamui
... .. Petitioner/s
Versus
The State of Bihar
... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 87184 of 2024)
For the Petitioner/s : None.
For the Opposite Party/s : Mr.Bharat Bhushan, APP
(In CRIMINAL MISCELLANEOUS No. 87278 of 2024)
For the Petitioner/s : None.
For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 27-02-2025 No one appears on behalf of the petitioners though
the State is present in both the cases.

2. The petitioners are in custody in connection with
Simultala P.S. Case No. 35 of 2024 for the offence punishable
under sections 392, 395 and 412 of the Indian Penal Code
lodged on 03.04.2024 by the informant, Manish Baske.

3. As per the prosecution story, the informant alleged
that while moving through the Ghorparan Forest, the accused
assaulted and took away his motorcycle as also the mobile
phone. This led to the FIR.



4. It is the case of the petitioners that though they were in custody since 07.06 2024 and 26.04.2024, neither TI parade conducted nor anything have been recovered from their conscious possession and only due to force of the police, the confessional statement was recorded. The further facts in the petition is that the charges have already been framed and they shall be diligently appearing in trial. Further, one of the co-accused Bharat Ray has been granted bail in Cr. Misc. No. 84050 of 2024.

5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

6. Having heard the APP and perusing the petitions, though they have criminal antecedent, the fact remains that despite being in custody since 07.06 2024 and 26.04.2024, neither T.I. parade conducted nor anything recovered from his conscious possession. Further, co-accused Bharat Ray has been granted bail as stated above, charges have been framed and they will be facing the music, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioners be released on bail on furnishing bail hood of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional



Sessions Judge-VI, Jamui in connection with Simultala PS Case
No. 35 of 2024 subject to the following condition

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for one year to mark their attendance:

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds,

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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