

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83486 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- BIND District- Nalanda

Karan Kumar S/o Sudhir Chauhan R/o Village- Rampur, P.S.- Bind, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 88459 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- BIND District- Nalanda

Ramjanam Kumar @ Ramjalam Kumar Son of Balkishun Bind Resident of Village- Garbhuchak, Police Station - Harnaut, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 83486 of 2024)
For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP
(In CRIMINAL MISCELLANEOUS No. 88459 of 2024)
For the Petitioner/s : Mr. Ganesh Sharma, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 18-03-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under Section 310(2) of the BNS.

3. The case of the prosecution is that the informant was



returning from village Asthawan on his bike. When he reached two kilometers away from Asthawan, eight persons on two bikes intercepted him. It is further alleged that a mobile of Realme company and mobile of Oppo company and the bike was looted by the unknown miscreants. The FIR was lodged against unknown miscreants.

4. learned counsel for the petitioners submits petitioners are innocent and have committed no offence. They have falsely been implicated in the present case. They have got no criminal antecedent. As far as petitioner namely, **Karan Kumar** is concerned, it has been submitted by the learned counsel for the petitioner that a mobile of realme company was recovered from the possession of this petitioner. In this regard, the learned counsel for the petitioner submits that he has filed a purchase receipt of the said mobile which also bears the IMEI number of the mobile but the realme mobile which was looted from the informant, there is no description of IMEI number of the said stolen mobile and it has not transpired in the investigation as well. It has been submitted that, as the mobile belongs to him, there is no allegation against him.

5. Learned counsel further submits that as far as the case of petitioner namely, **Ramjanam Kumar** alias **Ramjalam**



Kumar is concerned, it has been submitted by the learned counsel for the petitioner that a bike was recovered from his possession but from perusal of the seizure list, it transpires that the said bike was recovered from Mahalaxmi Dhaba Kichani, Harnaut. From perusal of the case diary, it transpires that the police has collected the tower location of the stolen mobile and on that basis, they have reached the Mahalaxmi Dhaba, there three persons were found sitting on the stolen bike who started fleeing away seeing the police. So this recovery cannot be fastened with the possession of this petitioner. The learned counsel for the petitioner has submitted that the seizure list will go to show that the copy of the same was not handed over to the petitioner. Both the petitioners are in custody since 20.07.2024.

6. Learned APP appearing for the state has opposed the prayer of regular bail.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners namely **Karan Kumar** and **Ramjanam Kumar** are directed to be released on bail in connection with Bind P.S. Case No. 98 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the



satisfaction of learned Court of Judicial Magistrate-III, Nalanda
at Biharsharif.

Sudhanshu/- **(Ashok Kumar Pandey, J)**

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