

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36645 of 2015

Arising Out of PS.Case No. -45 Year- 2015 Thana -BAISI District- PURNIA

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1. Rupesh Kumar Yadav @ Rupesh Kumar @ Raushan Yadav @ Raushan
Kr. Yadav, s/o Pradeep Yadav, r/v Malhariya, P.S. Kasba, Distt. Purniea.
2. Badal Kumar Yadav, s/o Late Anant Lal Yadav, r/v Saurajabar, P.S.
Baisi, Distt. Purnia

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn

For the Opposite Party/s : Mr. T.N.Thakur (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 01-12-2015 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

Petitioners seek bail in connection with Baisi P.S. Case
No. 45 of 2015 registered for the offences punishable under
Sections 394 and 411 of the Indian Penal Code.

Allegedly two unknown miscreants robbed the
informant and Shyam Sundar Mahto and took away cash of Rs.
29,000/- and mobiles.

Submission is of false implication. The petitioners are
not named in the F.I.R. and nothing has been recovered from their
conscious possession. The alleged mobiles is said to be recovered,
were purchased from unknown person but did not handover the
original paper. Petitioners have not been put on T.I.P.. They have

got no criminal antecedent and suffering in custody since 15.05.2015. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. opposes the prayer of bail by pointing out the recovery of mobiles.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and the petitioners have not been put on T.I.P. and no one has come forward to claim those mobiles and, as such, the petitioners above named are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned Judicial Magistrate 1st class, Purnia arising out of Baisi P.S. Case No. 45 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners will remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioner from privilege of bail.

sushma/-

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(Jitendra Mohan Sharma, J)