

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40678 of 2014

Arising Out of PS.Case No. -159 Year- 2014 Thana -RAXAUL District- EAST
CHAMPARAN(MOTIHARI)

- =====
1. Upendra Kumar.
 2. Akhilesh Prasad.

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioners : Mr. Sanjay Kumar No.-7, Advocate.
For the Opposite Party : Mr. M.K. Nirala (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-01-2015 Heard learned counsels for the petitioners
and the State.

The petitioners are languishing in custody since 03.08.2014 in a case registered for the offences punishable under Sections 379 and 461 of the Indian Penal Code.

It is alleged that the Bolero vehicle of the informant bearing Registration No. BR05 PA0340 went missing when F.I.R., was lodged against unknown.

It is submitted by learned counsel for the petitioners that the name of the petitioners sprang up on confession of Brajesh Kumar @ Vikas. The statement of Brajesh Kumar has been recorded in paragraph No. 135 of the case diary which suggests that Lal Bihari Mahto brought the vehicle in which

he boarded, the driver of the vehicle was lying in unconscious condition in the back of the said vehicle. Subsequently, Lal Bihari Mahto killed the driver of the vehicle and thereafter the dead body was disposed off by Lal Bihari Mahto and Brajesh Kumar. The petitioners were prospective purchasers of the vehicle in question.

Considering the thrust of accusation against Lal Bihari Mahto and Brajesh Kumar and the statement made in paragraph no. 3 of the petition that the petitioners have no criminal antecedent, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Raxaul at Motihari, in connection with Raxaul P.S. Case No. 159 of 2014.

U.K./-

(Dinesh Kumar Singh, J)

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