

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48622 of 2015

Arising Out of PS.Case No. -12 Year- 2014 Thana -MALAYPUR District- JAMUI

1. Piyush Kumar Son of Triveni Singh
2. Sanjeet kumar son of Jainarayan Singh Both resident of Village - Tihiya
P.s Khaira District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Jagdhar Pd.(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 04-12-2015 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Malaypur
P.S.Case No. 12 of 2014 registered for the offence under section
394 of the I.P.C.

Allegedly, three unknown miscreants reserved the
tempo, which was driven by the informant. Thereafter, they started
strangulating the informant, resulting he fell down and the
miscreants sped away with the tempo. During investigation, the
name of the petitioners transpires. It is further alleged that
petitioner No. 2, Sanjeet Kumar was identified by the informant
as one of the criminals by seeing photograph.

Submission is of false implication and that the
petitioners are in custody since 22.06.2015 but they have not been
put on T.I.P. and nothing has been recovered from their conscious

possession. The F.I.R. was lodged after delay of three days and only on week evidence, they are suffering in custody since 22.06.2015.

Learned A.P.P. fairly submits that no T.I.P. has been done in this case.

In the facts and circumstances of the case as stated above, considering that the petitioners are not named in the F.I.R., they have not been put on T.I.P. and as submitted nothing has been recovered from conscious possession of the petitioners, and as such the petitioners, above named, are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Malaypur P.S. Case No. 12 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioners shall 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 petitioners from privilege of bail.

Sudha/-

(Jitendra Mohan Sharma, J)

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