

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30888 of 2015

Arising Out of PS.Case No. -99 Year- 2015 Thana -UDWANTNAGAR District- BHOJPUR

1. Deepak Kumar Singh S/o Ajay Singh Resident of vill. - Nathamalpur,
P.S. Barhara, Distt. - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.34993 of 2015

Arising Out of PS.Case No. -99 Year- 2015 Thana -UDWANTNAGAR District- BHOJPUR

1. Mahendra Mali s/o Rajendra Mali Resident of vill - Nathmalpur p.s. -
Barhara, Dist - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.30888 of 2015)

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh (App)

(In Cr.Misc. No.34993 of 2015)

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Arun Kr.Singh 5(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 02-11-2015 Both the Criminal Miscellaneous arise out of the same

occurrence and as such have been heard together and are being

disposed of by passing this common order.

Heard the learned counsel for the petitioners as well

as the learned A.P.P.

The petitioners seek bail in a case for the offences punishable under sections 379 and 411 of the I.P.C

Petitioners are not named in the F.I.R but during investigation petitioner Deepak Kumar Singh was caught driving the stolen tractor with mobile and cash of Rs. 5,000/- and further other co-accused were also apprehended on chase.

Submission is that the petitioners are suffering in custody sine 03.04.2015. There is no progress in the case and the same is still pending in the court of learned C.J.M. Petitioner Deepak Kumar Singh has been sufficiently penalized, whereas, from possession of petitioner Mahendra Mali nothing has been recovered and similarly situated co-accused Jitendra Kumar Singh has been allowed bail by another coordinate Bench of this Court vide Cr. Misc. No. 44079 of 2015 by order dated 22.09.2015.

In the facts and circumstances as stated above, the petitioner Mahendra Mali is directed to be released on bail at once, whereas, petitioner Deepak Kumar Singh is directed to be released on bail after framing of charge, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M. Bhojpur at Ara in Udwantnagar P.S. Case No. 99 of 2015, 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.

(Jitendra Mohan Sharma, J)

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