

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36367 of 2015

Arising Out of PS.Case No. -176 Year- 2014 Thana -SIMRI District- DARBHANGA

- =====
1. Deepak Mahto @ Deepak Kumar son of Balley Mahto @ Baleshwar Mahto
 2. Guddu Sahni son of Nathuni Sahni

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 09-09-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 413/414/34 of the Indian Penal Code.

The prosecution case is that on information that miscreants are carrying stolen goods, a Bolero vehicle was intercepted and five persons namely, Amiri Sahni, Manoj Sahni, Om Prakash Sahni, Jai Prakash Sahni and Ramjatan Sahni, were apprehended, who disclosed the name of two escaped persons as Deepak Mahto and Guudu Sahni, who are petitioners before this Court. It is further alleged that from the Bolero vehicle, 41 iron shuttering plates were recovered, but on demand failed to produce

the document for the same.

It is submitted by learned counsel for the petitioners that admittedly the recovery has not been made from the petitioners but it appears unreasonable that the driver of the Bolero could not produce the documents of iron shuttering plates. Moreover, none has alleged that it was stolen one, hence, only on suspicion the accusation has been levelled and frivolous case has been lodged. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Simri P.S. Case No.176 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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