

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41910 of 2015

Arising Out of PS.Case No. -163 Year- 2014 Thana -BIRPUR District- SUPAUL

1. Surya Sardar @ Surja Sardar S/o Lae Manik Sardar
2. Thothai Sardar @ Dhodhai Sardar @ Siken @ Siken Sardar S/o Late Janak Sardar, Both resident of village- Machha, P.S.- Tribeniganj, District- Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun
For the Opposite Party/s : Mr. M.Rab(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 02-11-2015 Petitioner No. 1 is apprehending his arrest in a case registered for the offences punishable under Sections 379, 411, 461 of the Indian Penal Code.

The prosecution case is that 150 pieces of mobiles of different brands were stolen from the shop of the informant. Subsequently during investigation raid was laid in the house of the neighbour of the informant Deo Narayan Choudhary and his son Bantha @ Raju Choudhary was apprehended. Thereafter the police seized a motorcycle with a bag hanging with it wherein 90 pieces of mobiles were recovered which were identified by the informant.

Though the impugned order does not suggest any material suggesting apprehension of the petitioners in the present case but it is submitted by learned counsel for the

petitioners that requisition has been submitted on 29.09.2015 before learned Court below for issuance of process of 82 Cr.P.C against the petitioners.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Birpur, Supaul in connection with Birpur P.S. Case No. 163 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioners will be accepted on filing affidavit to the effect that petitioners will regularly cooperate in the investigation. Non-cooperation in the investigation will give liberty to the prosecution to file appropriate application for cancellation of bail of the petitioners.

Shageer/-

(Dinesh Kumar Singh, J)

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