

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42908 of 2014

Arising Out of PS.Case No. -173 Year- 2014 Thana -SHERGHATI District- GAYA

- =====
1. Ajay Prasad @ Ajay Mistri Son of Shyamdeo Mistri R/o Village Jagai,
P.S. Ekangarsarai, District Nalanda
 2. Deepak Kumar Son of Pradeep Mistri R/o Village Chardua Bathanipar,
P.S. Giriyak, District Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. T.N.Thakur (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 04-03-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are languishing in custody since 01.07.2014 in a case registered for the offences punishable under Section 395 of the Indian Penal Code.

The miscreants robbed the truck, cash and mobile from the truck driver. The FIR was lodged against unknown. The name of the petitioners sprang up when the robbed truck and one another truck were found parked in front of the garage of petitioner no. 1 and petitioner no. 2 was employee of that garage. Subsequently the co-accused confessed the guilty suggesting the complicity of the petitioners and the petitioners have confessed their guilt.

It is submitted by learned counsel for the petitioners that the truck was parked in front of the garage of petitioner no. 1 and recovery cannot be treated from the possession of the petitioners.

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

Considering the aforesaid facts, let the above named petitioners, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Sherghati, Gaya in connection with Sherghati (Dobhi) P.S. Case No. 173 of 2014.

(Dinesh Kumar Singh, J)

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