

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15322 of 2015

Arising Out of P. S. Case No. -5 Year- 2015 Thana -RUPAULI District- PURNIA

1. Md. Ahsan Son of Md. Mainul
2. Md. Tanjeem son of Md. Osim
3. Md. Badal Son of Md. Anwar
All R/o Village- Banki P.s Rupauli, District Purnea.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr. Manoj Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 04-06-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The accused-petitioners seek bail in a case registered
for the offence punishable under Sections 413 of IPC.

Allegation is that during night patrolling duty, the
petitioners were apprehended along with two she-buffaloes on
suspicion and they disclosed their name and admitted that they
were habitual offender.

Learned counsel for the petitioners submits that
Section 413 IPC is not applicable in this case. The petitioners are
not habitual offender of committing theft nor they have any
criminal antecedent.

If the above contention is correct, the above named petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of Sri Ram Vijay Kumar, J. M. 1st Class, Purnea /court concerned in Rupauli (Mohanpur) P. S. Case No. 05 of 2015 with following conditions:-

1. The petitioners will not indulge themselves in similar or any other offence.
2. One of the bailors must be the close relative of the petitioners.
3. The petitioners will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, their bail bonds would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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