

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48655 of 2015

Arising Out of PS.Case No. -363 Year- 2014 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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1. Raju Kumar Rai @ Raj Kumar Rai S/o Shankar Rai Resident of Village- Basant P.s Garkha District Saran.
 2. Mukesh Rai@Mukesh Kumar S/o Shri Mohan Rai resident of Village - Dudhaila Near Agriculture farm P.s Sonepur District Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvesh Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-12-2015 Heard the learned counsel for the petitioners as well as the learned A.P.P.

The petitioners seek bail in a case for the offence punishable under section 392 of the I.P.C

Allegedly, 2-3 unknown miscreants came with white colour Bolero and after over taking the truck which was being driven by the informant they got down the informant and helper at the point of pistol and speed away the truck to Hajipur and further they have taken away cash of Rs. 40,000/- from the pocket.

Submission is of false implication and that the petitioners were caught at the place where the said truck was parked and they are in custody in this case since 08.07.2015, though they were apprehended and remanded in the case instituted

by the police on 07.12.2014, no test identification parade has been done and in Garkha P.S. Case No. 230 of 2014 the petitioners have been allowed bail vide Cr. Misc. No. 18804 of 2015 by order dated 16.06.2015 and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. fairly submits that the petitioners have been allowed bail in Garkha P.S. Case No. 230 of 2014 registered under sections 413 and 414 of the I.P.C. and in this case they have not been put on test identification parade.

In the facts and circumstances as stated above, the petitioners are directed to 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 C.J.M. Vaishali at Hajipur in Vaishali P.S. Case No. 363 of 2014, 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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