

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27811 of 2015**

Arising Out of PS.Case No. -117 Year- 2015 Thana -KOTWALI District- MUNGER

1. Nawal Kishore Verma  
2. Madan Kumar Verma Both Sons of Late Tuneshwar Prasad Verma  
resident of village - Bekapur ( Bajapatti ), P.S. Kotwali, District - Munger

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jitendra Nath Tiwary

For the Opposite Party/s : Mr. Kr.Virendra Narayan(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

3      14-10-2015      Heard learned counsel for the petitioners and learned  
A.P.P. representing the State.

Petitioners seek bail in connection with Kotwali P.S.  
Case No. 117 of 2015 registered for the offences punishable under  
Sections 379, 323 and 295 of the Indian Penal Code.

Allegedly the petitioners and other co-accused after  
breaking open the lock of the Urdu Library, committed theft of  
one thousand ancient books and furniture worth Rs. 20,00,000/-  
and took away the same on Maruti 800 Car and push cart. Some  
local people tried to stop them but after attacking them, the  
accused persons fled away.

Submission if of false implication due to land dispute



as Eviction Suit No. 2 of 2014 is pending between the parties and Municipal Authorities have reported to the Munger Kotwali Police that, property in question, has been recorded in the Revenue Record in the name of Late Khaji Mistiry, the grandfather of the petitioner. Other co-accused, namely, Yugal Kishore Verma, Nand Kishore Verma and Raj Kishore verma have been allowed pre-arrest bail vide order dated 03.09.2015 passed in Criminal Misc. No. 35529 of 2015 and the alleged recovery of some of the books are from Kankar Ghat, Lally Pokhar Road.

Learned A.P.P. duly assisted by learned counsel for the informant has opposed the prayer of bail by submitting that on the basis of disclosure made by the petitioners, some of the books have been recovered.

In the facts and circumstances stated above, considering that the petitioners are in custody since 15.05.2015 and other co-accused persons have been allowed pre-arrest bail and, as such, the petitioners above named are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) only with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Munger arising out of Kotwali P.S. Case No. 117 of 2015 subject to the conditions that one of the bailors must be near relative and another

having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners will 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.

**(Jitendra Mohan Sharma, J)**

sushma/-

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