

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24094 of 2015

Arising out of PS.Case No. -54 Year- 2015 Thana -BAIKUNTHPUR District- GOPALGANJ

1. Rakesh Mahto, Son of Shakaldev Mahto.
2. Vishal Kumar Sah, Son of Mahatam Sah. Both are residents of village - Dubauli, P.S. Baikunthpur, District – Gopalganj.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Ghulam Rabbani, Advocate.

For the Opposite Party : Mr. Nirmal Kr. Sinha(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2015 The petitioners are languishing in custody since 05.04.2015 in connection with Baikunthpur P.S. Case No. 54 of 2015 for the offences instituted under Sections 380 and 411 of the I.P.C.

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution story, in brief, is that on 03.04.2015 at night, the informant alongwith her family members were sleeping in the room. It is further alleged that about 1.00 A.M., one unknown person entered in her house and was carrying on one attaché, one wooden box and touched the leg of the informant in darkness in consequent, she raised alarm on which he tried to



escape towards west in the field on which they were chased by the informant's son and others and saw three-four persons were taking away stolen articles. In course of chasing, out of them, two persons fell down in a ditch with wooden box and they were caught hold by the informant's son and others and they disclosed their name as petitioners and two others have escaped taking the benefit of darkness with the stolen articles including ornaments but in inquiry about escaped persons they did not say anything about them and the petitioners have received inquiries on their persons, hence this F.I.R.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. Further it is being said that whatsoever stolen property that was being carried by the petitioners was subsequently recovered at the spot itself from possession of the petitioners as they had fallen in a ditch. It is further submitted that the petitioners are in custody since 05.04.2015. It is further submitted that the petitioners may be released on bail after completion of six months in custody.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail after completion of

six months in custody from 05.04.2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj, in connection with Baikunthpur P.S. Case No. 54 of 2015.

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(Sudhir Singh, J)