

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50617 of 2015

Arising Out of PS.Case No. -223 Year- 2015 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

1. Sharwan Kumar Son of Arbind Yadav resident of village - Nirmani Math,
P.S. - Hulasganj, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

With

Criminal Miscellaneous No.51113 of 2015

Arising Out of PS.Case No. -null Year- null Thana -null District- NALANDA (BIHARSHARIFF)

1. Munna Yadav @ Munna Kumar son of Ram Prasad Yadav, resident of
Village- Imadpur, Police Station- Khodaganj, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.50617 of 2015)

For the Petitioner/s : Mr. Awadhesh Prasad Sinha, Adv.

For the Opposite Party/s : Mr. Anuj Kr. Srivastava, APP

(In Cr.Misc. No.51113 of 2015)

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr. A.M.Mehta, APP

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 10-11-2015 Heard learned counsel for the parties.

The petitioners in the two bail applications are in custody in connection with Islampur P.S. Case No.223 of 2015 for the offences punishable under Sections 406, 417, 420, 120(B) of the Indian Penal Code.



As per the allegation set out in the F.I.R. it is alleged by the informant that the tractor in question was purchased in the name of his father and had been handed over to the petitioner Sharwan Kumar for transportation of sand. It is further his allegation that when the tractor was not returned that he has questioned Sharwan Kumar and when he informed that the tractor has been taken away by Munna Yadav and Rakesh Yadav of whom Munna Yadav is the petitioner in the other bail application.

While Mr. Awadhesh Kumar learned counsel for the petitioner Sharwan Kumar submits that there is nothing on record to demonstrate any agreement in between the informant and the petitioner to operate the tractor, Mr. Anil Kumar Singh, learned counsel appearing on behalf of petitioner Munna Yadav submits that his name has transpired on the alleged statement made by Sharwan Kumar. It is further submitted by learned counsel that the tractor in question was purchased on loan and without getting registered that it was being operated by the informant himself.

Having heard learned counsel for the parties and considering the submissions so advanced, let the two petitioners in the two applications namely, Sharwan Kumar and Munna Yadav @ Munna Kumar be released on bail upon each of them furnishing

individual bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Hilsa in connection with Islampur P.S. Case No.223 of 2015.

(Jyoti Saran, J)

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