

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36445 of 2015

Arising Out of PS.Case No. -187 Year- 2014 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

1. Vikash Kumar son of Late Babulal Prasad
2. Manoj Kumar son of Rajendra Sah @ Baith Prasad
Both are resident of Village- Pakaridayal, ward no.4, P.S.- Pakaridayal,
District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Sharan Singh

For the Opposite Party/s : Mr. Smt.Sangita Sharma (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 08-09-2015 Heard learned counsels for the petitioners
and the State.

The petitioners are apprehending their
arrest in a case registered for the offences punishable under
Sections 414/34 of the Indian Penal Code.

The informant found three persons standing
with five bags near a motorcycle but on seeing police they
started to escape from the scene, but on chase one Sumit Kumar
was apprehended who disclosed the name of the petitioners, who

managed to escape from the scene. The apprehended accused confessed that he was doing business of black pepper (Kali Mirch) when two quintals Kali Mirch and motorcycle were seized.

It is submitted by learned counsel for the petitioners that the motorcycle was found registered in the name of apprehended accused Sumit Kumar. It is further submitted that black pepper (Kali Mirch) cannot be treated to have been recovered from the possession of the petitioners.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Sikarahna at Motihari in connection with Dhaka P.S. Case No. 187 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioners shall be accepted on filing affidavit that they shall regularly cooperate in

the investigation, if it has not been concluded as yet. Non-cooperation in the investigation will give liberty to learned court below to cancel the bail bonds of the petitioners.

(Dinesh Kumar Singh, J)

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