IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8366 of 2016

Arising Out of PS.Case No. -764 Year- 2015 Thana -MOTIHARI TOWN District- EASTCHAMPARAN(MOTIHARI)

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1. Md. Rezwan @ Chand Mian Son of Sattar Mian, Resident of Village- Khoda Nagar, P.S. Chhatauni, District- East Champaran.
2. Md. Azad son of Md. Ishlam Mian, Resident of Village- Singhia Sagar, P.S.- Banjaria, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Jitendra Narain Sinha
For the Opposite Party/s Mr. Anuradha Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

02/ 25.02.2016 Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

Petitioners are said to have been caught by local people when they had entered to commit theft in the house of the informant and some apparatus which are being used in breaking locks and some ornaments were found in possession of petitioner no.1.

The contention on behalf of the petitioners is that petitioners have falsely been implicated in this case on mere suspicion and, as a matter of fact, no stolen article has been recovered from their possession. It is further pointed out that according to the prosecution case itself, petitioners were handed over to police by local people on 12.11.2015 but they were produced before the learned Magistrate on 14.11.2015.

No doubt, petitioners have some criminal antecedent but

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taking note of the aforesaid facts and circumstances as well as the period of detention of the petitioners in jail custody, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran in Motihari Town P.S. Case no. 764/2015.

shahid (Hemant Kumar Srivastava,J)

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