

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11023 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -SAKRA District- MUZAFFARPUR

1. Amrit Kumar Jha Son of Kashi Nath Jha, Resident of vill.- Athari, P.S.-
Runnisaidpur, District- Sitamarhi.... Petitioner

Versus

1. The State of Bihar Opposite Party

with

Criminal Miscellaneous No.10213 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -SAKRA District- MUZAFFARPUR

1. Arun Kumar Mishra Son of Shri Lal Babu Mishra @ Satyendra Kumar
Mishra, Resident of Village - Mahmadpur Shivram, P.S. - Sakra, District -
Muzaffarpur. Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

(In Cr.Misc. No.11023 of 2016)

For the Petitioner/s : Mr. Hari Mohan Mishra

For the Opposite Party/s : Mr. Nawal Kishore Prasad (App)

(In Cr.Misc. No.10213 of 2016)

For the Petitioner/s : Mr. Abhay Kumar

For the Opposite Party/s : Mr. Parmanand Kumar (App)

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

ORAL ORDER

3 27-04-2016 Above noted both applications have arisen out of one occurrence i.e. Sakra P.S. Case No. 11 of 2016 registered for the offences punishable under Sections 406, 420/34 of the Indian Penal Code and as such they have been heard together and are being disposed of by this common order.

Allegedly, the petitioners being driver and sub-driver informed the informant that some miscreants in the night of 11.01.2016 near Rupanpatti, Paswan Line Hotel assaulted them

and took away truck and cash of Rs. 1,20,000/-. However, the informant reached and claimed that the petitioners have committed such offence being in collusion and conspiracy.

Submission is of false implication and that during investigation no cogent material has come against the petitioners, the petitioners have been made victim of circumstances, unknown miscreants have committed the crime and the petitioners have been made accused though they ought to have been made witness in the case, nothing has been recovered from possession of the petitioners and they are suffering in custody since 12.01.2016.

Learned APP opposes the prayer of bail by submitting that the petitioners are named in the first information report.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. cum-Sub Judge IV, Muzaffarpur in connection with Sakra P.S. Case No. 11 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned

and the petitioners shall 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)

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