

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58580 of 2015

Arising Out of PS.Case No. -383 Year- 2014 Thana -SAUR BAZAR District- SAHARSA

1. JITENDRA YADAV @ JITAN YADAV @ JITAN Son of Late Lodha
Yadav @ Rajendra Yadav R/o Village Gaji Paita, P.S. Sonbarsa Raj,
District Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.16722 of 2016

Arising Out of PS.Case No. -383 Year- 2014 Thana -SAUR BAZAR District- SAHARSA

1. Mrityunjay Yadav @ Mirtunjay Kumar Yadav S/o Shyam Sundar Yadav
Resident of Village- Gajipaita P.S. Sonbarsa Raj Dist Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.58580 of 2015)

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Vinod Shankar Modi(App)

(In Cr.Misc. No.16722 of 2016)

For the Petitioner/s : Mr. Chandra Mohan Jha

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA

ORAL ORDER

3 18-05-2016 Both the Criminal Miscellaneous are of the same
occurrence and as such have been heard together and are being
disposed of by passing this common order.

Heard the learned counsel for the petitioners as well
as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences punishable under sections 392 and 411 of the I.P.C

The First Information Report is against three unknown miscreants with the allegation that the Pulsar motorcycle, Micro Max mobile, some cash and the PAN Card were snatched away from the informant by them. During investigation both the petitioners were apprehended with the looted Pulsar motorcycle with arms and for that another case was lodged.

Submission is of false implication and that the petitioners have already been allowed bail in Sour Bazar P.S. Case No. 410 of 2014 wherein both were apprehended and from that case they have been remanded in this case resulting they are suffering in custody in this case since 27.10.2014.

The learned A.P.P. submits that the looted motorcycle was recovered from possession of the petitioners and further both have got criminal antecedents.

In the facts and circumstances as stated above, considering detention of the petitioners and further that charge sheet has already been submitted after completing investigation and there is no chance of tampering with the prosecution evidence and as such both the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with

two sureties of the like amount each to the satisfaction of C.J.M. Saharsa in Sour Bazar P.S. Case No. 383 of 2014/ G.R. No. 2139 of 2014, 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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