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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21890 of 2016

Arising Out of PS.Case No. -90 Year- 2016 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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1. Narayan Ram Son of Jiyatu Ram null
2. Jai Prakash Ram Son of Doma Ram
3. Samdar Bahadur Yadav@Samar Yadav Son of Baliram Yadav

All are Resident of Village- Dih Bhujaina, PS Chainpur, District Kaimur Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajesh Kumar Mishra, Advocate
: Mr. Sourndra Pandey, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 15-07-2016 Heard the learned counsel for the petitioners and the learned A.P.P. representing the State.

The petitioners seek bail in connection with Chainpur P.S. Case No. 90 of 2016 registered for the offences punishable under Sections 379, 411 and 34 of the Indian Penal Code.

Allegedly, diesel engine which was stolen away eight days ago was recovered from possession of the petitioners as they were caught red-handed with motor-cycle, cash of Rs. 3524/- and mobile and the petitioners confessed their guilt.

Submission is of false implication and that the

petitioners have been made victim of the circumstances, for the alleged theft of diesel engine the informant has not lodged any case, regarding other thefts from temple, nothing has been recovered from the possession of the petitioners and without any fault, they are suffering in custody since 03.04.2016. The copy of the seizure list has not been handed over to the petitioners, they have been produced by the informant and other villagers due to enmity, investigation is complete and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. fairly submits that earlier the informant has not lodged case regarding theft of the diesel engine.

In the facts and circumstances stated above, the petitioners**,** above named, are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bhabua at Kaimur in connection with Chainpur P.S. Case No. 90 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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