

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48664 of 2015**

Arising Out of PS.Case No. -59 Year- 2015 Thana -GOPALGANJ CITY District- GOPALGANJ

Shakil Alam son of Akhtar Alam, Resident of Village- Dewapur, Jafar Tola, Police Station- Manjhagarh, District- Gopalganj.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

with

**Criminal Miscellaneous No.49908 of 2015**

Arising Out of PS.Case No. -59 Year- 2015 Thana -GOPALGANJ CITY District- GOPALGANJ

Chandan Kumar Mahato @ Chandan Kumar @ Chandan Mahato Son of Sri Ram Mahto R/o Village Keshopur, P.S. Thawe, District Gopalganj

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

(In Cr.Misc. No.48664 of 2015)

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. R.S.Choudhary (App)

(In Cr.Misc. No.49908 of 2015)

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5

For the Opposite Party/s : Mr. Ajay Kumar No.1(App)

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

ORAL ORDER

3      27-01-2016      Above noted both the applications have arisen out of one occurrence i.e. Gopalganj Town P.S. Case No. 59 of 2015 registered for the offences punishable under Sections 457 and 380 of the Indian Penal Code and as such they have been heard together and are being disposed of by this common order.

Allegedly, after breaking the lock of the house of the informant theft was committed and ornaments and cash of Rs. 35,000/- were stolen away. During investigation the petitioners were caught and they confessed their guilt and further some theft ornaments were recovered from possession of both the petitioners.

Submission is of false implication and that recovered articles have not been put on T.I.P. , the articles are of daily use and further the description of the stolen articles do not tally with the recovered articles and as such the petitioners who are suffering in custody since 21.02.2015 deserve sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that some ornaments have been recovered from possession of both the petitioners but fairly submits that articles have not been put on T.I.P.

In the facts and circumstances stated above, considering the period of detention of the petitioners, now both 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 C.J.M., Gopalganj, in connection with Gopalganj Town P.S. Case No. 59 of 2015, subject to the conditions that one of the bailors must be 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)**

siddharth/-

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