

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57706 of 2015

Arising Out of PS.Case No. -200 Year- 2015 Thana -MAHARAJGANJ District- SIWAN

- =====
1. Dhananjay Kumar
 2. Pintu Kumar Both son of Nagendra Singh, resident of Village- Nathanpura, P.S. G.B. Nagar, District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak

For the Opposite Party/s : Mr. Ram Anurag Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 18-02-2016 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 395 and 412 of the I.P.C

Allegedly, the motorcycle borne miscreants overtook the informant and after pouring Gul in his eyes and causing threats at the point of pistol snatched Rs. 90,000/-, mobile, key of the shop and ledger book. The informant claims to identify them after seeing. During investigation the petitioners were apprehended and from their possession robbed mobile was recovered.

Submission is of false implication and that both the petitioners are brothers, after the occurrence that mobile was found fallen by the side of the road and thereafter the petitioners picked up the same and started using, they have got no criminal

antecedents, no robbed amount has been recovered from their possession and they are suffering in custody since 21.08.2015 having no criminal antecedents, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence. Further the informant has refused to take part in the test identification parade.

The learned A.P.P. submits that it is true that the informant refused to take part in the test identification parade but robbed mobile was recovered from possession of the petitioners.

In the facts and circumstances as stated above, considering detention of the petitioners, now they 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 A.C.J.M. Siwan in Maharajganj (G.B. Nagar) P.S. Case No. 200 of 2015/ G.R. No. 3562 of 2015, 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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