

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.273 of 2016

Arising Out of PS.Case No. -216 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

- =====
1. Sunil Rai son of Baleshwar Rai
 2. Santosh Rai Son of Baleshwar Rai Both are residents of village Akilabad, P.S. Sadar Hajipur, District- Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivjee Singh
For the Opposite Party/s : Mr. Arun Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-01-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 379, 411 of the Indian Penal Code.

The prosecution case is that the informant being driver of a pick-up van was carrying generators but when he parked the vehicle beside the road to ease then two boys came with motorcycle and escaped with pick-up van loaded with generators. Subsequently the pick-up van was recovered near R.K. Line Hotel situated at N.H. 77. On confession of co-accused Rajesh Paswan the recovery was made from his house and co-accused Santosh Rai who named the petitioners and co-accused Badal Rai. Subsequently the recovery of generator was also made from the house of the petitioners and co-accused Badal Rai.

It is submitted by learned counsel for the petitioners that recovery was not made from the house of the petitioners but adjacent to the house of the petitioners when none of the family members have signature to the seizure list. Co-accused Badal Rai has been granted anticipatory bail vide Cr. Misc. No. 43894 of 2015, whereas Rajesh Paswan and Surendra Singh have been granted regular bail vide Cr. Misc. Nos. 36521 of 2015 and 40687 of 2015 by a Coordinate Bench of this Court.

In view of the aforesaid facts, let learned Court below consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of six weeks in connection with Hajipur P.S. Case No. 216 of 2015, pending in the Court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

With the observations above, the application stands disposed of.

(Dinesh Kumar Singh, J)

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