

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41505 of 2016

Arising Out of PS.Case No. -603 Year- 2016 Thana -BANKA District- BANKA

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1. Chhotu Kumar @ Chhotu Yadav, son of Gopal Yadav, resident of Village- Mannikura, P.S. Jhajha, District- Jamui.
 2. Gopal Yadav, son of Late Rajendra Yadav, resident of Village- Mannikura, P.S. Jhajha, District- Jamui
 3. Govind Kumar Yadav @ Govind Kumar @ Govinda Kumar Yadav, son of Binod Yadav, resident of Village- Bharkahua, P.S. Jamui, District- Jamui.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Praveen Kumar, Adv.

For the Opposite Party : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 03-10-2016

Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody since 20.07.2016 in connection with Banka P.S. Case No. 603 of 2016 for the offences alleged under Sections 406, 420, 379, 411 and 120B/34 of the Indian Penal Code.

3. It is submitted that the petitioners have been falsely implicated as the goods loaded on the truck were merely removed and kept in the house of co-accused Ashok Kumar Thakur for preventing the same from damage on account of rain during transportation. It is further submitted that the entire quantity of the wheat has since been restored to the original owner and no part of the stock is missing.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of like amount each to the

satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 603 of 2016 with the following conditions:

- (i) That one of the bailors of each of the petitioners shall be their close relative.
- (ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- (iii) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

Md. Ibrarul/BT

(Vikash Jain, J)

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