

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34071 of 2016

Arising Out of PS.Case No. -345 Year- 2015 Thana -BUXAR MUFFSIL District- BUXAR

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1. Upendra Paswan, Son of Late Raju Paswan,
 2. Deepak Rai, Son of Ram Narain Rai, both Resident of Village- Dehri,
P.S.- Rajpur, District- Buxar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nil Kamal, Advocate,
For the Opposite Party/s : Mr. Sri Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 31-08-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Buxar (M) P.S. Case no. 345 of 2015, registered under Sections 379
and 511 of the Indian Penal Code.

Learned counsel for the petitioners submits that it would
appear from the F.I.R. that in the night of 26/27.12.2015 an attempt
was made to commit theft of cash after breaking ATM Machine
regarding which on the basis of written report of Branch Manager,
IDBI Bank, Chausa Branch, Buxar present F.I.R. was lodged on
27.12.2015, but there is no description of recovery of the mobile to the
ATM room, while seizure-list shows recovery of the mobile set
bearing Reg. Nos. 8578094657 and 9507990075, which was found in
course of investigation of one Sonu. On call details, it was found that

mobile was used to talk with the petitioners and other in the night of the occurrence. Except that there is nothing against the petitioners. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar in connection with Buxar (M) P.S. Case No. 345 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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