

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7061 of 2016

Arising Out of PS.Case No. -356 Year- 2015 Thana -JOKIHAT District- ARRARIA

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1. Mofil son of Tazuddin resident of Village- Kakan Tola Dhapi
2. Israfil Son of Safique, resident of Village- Kamat,
Both Police Station- Jokihat, District- Araria..... Petitioners
Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana
For the Opposite Party/s : Mr. Narendra Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 03-03-2016

Heard learned counsel for the petitioners and learned

counsel representing the State.

Petitioners seek bail in connection with Jokihat (Mahalgaon) P.S. Case No. 356 of 2015 registered for the offences punishable under Sections 379, 411/34 of the Indian Penal Code.

Allegedly, the petitioners were caught when they were loading GI Pipes on the truck stealthily along with other co-accused.

Submission is of false implication and that the petitioners are poor labourer, as per direction of the truck driver they were loading the pipes and they were not knowing that the pipes were being loaded stealthily, the petitioners were of the view that the pipes are being loaded with the permission of the owner and without any fault they are suffering in custody since 19.12.2015.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the period of detention, the petitioners above named 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 Sub Divisional Judicial Magistrate, Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 356 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.

(Jitendra Mohan Sharma, J)

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