

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20635 of 2016

Arising out of PS.Case No. -240 Year- 2015 Thana -NATHNAGAR District- BHAGALPUR

1. BIBI GURIA, Wife of Md. Nausad.
2. Bibi Khushabu, Wife of Md. Panchu. Both are residents of Village- Bhikhanpur, Gumti No. 3, P.S. Nathnagar (Gumati) District Bhagalpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rajive Ranjan Singh, Advocate.

For the Opposite Party : Mr. Ashok Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-07-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are languishing in custody since 10.02.2016 in connection with Nathnagar (Lalmatiya) P.S. Case No. 240 of 2015, G.R. No. 4022 of 2015 for the offences instituted under Sections 461, 379, 411 of the IPC, 12, 2 and 16 of Antiquity and Art Treasures Act.

The prosecution story, in brief, is that on the alleged date of occurrence, some unknown thieves committed theft of Idols of Lord Ram, Laxman, Janki, Laddu Gopal and utensils of different metals and D.V.D. of Samsung Company kept in the temple.

It has been submitted on behalf of the petitioners that the

petitioners are in custody since 10.02.2016 and the charge sheet has been submitted in the present case. The petitioners are not named in the F.I.R. Their name has come on the confession of the co-accused.

On behalf of the State it has been submitted that on confession of the petitioners, recovery of the stolen property has been made. The same is evident from paragraph nos. 78 and 89 of the case diary. From perusal of paragraph no. 163 of the case diary, it is evident that similar cases are pending against the petitioner no. 1.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioners at this stage. The same is rejected in Nathnagar (Lalmatiya) P.S. Case No. 240/2015, G.R. No. 4022 of 2015, pending in the court of the learned A.C.J.M. Bhagalpur.

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(Sudhir Singh, J)