

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9049 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -LAUKARIA District-
WESTCHAMPARAN(BETTIAH)

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1. Anand Kumar, Son of Nathuni Patel, Resident of Village-Champapur,
Dhangarahiya, P.S. Valmikinagar, District – West Champaran.
2. Deepak Kumar, Son of Munna Sah, Resident of Village- Mastan Tola,
Bagaha,I, P.S.- Bagaha, District – West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. R.S. Sahay
Mr. Vijay Kr Singh No. 1
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-02-2017 The petitioners are in custody since 19.01.2017 in connection with Laukariya P.S. Case No. 04 of 2017, registered for offences punishable under Section 379 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that petitioners have not been named in the F.I.R and only on the confidential information received by the police that three persons are riding on stolen motorcycle, the police raided the spot and caught three persons, out of which one managed to escape. It has further been submitted that the petitioners only happen to be the person who helped the main culprit of the case in selling the motorcycle without knowing the fact that the said motorcycle was



stolen one and only when they were taking trial of the said motorcycle, they were intercepted by the police. It has further been submitted that both the petitioners have clean antecedents and they are student of matriculation of which, the examination is scheduled to be commenced from 01st March 2017 and, therefore, a sympathetic view may be taken for grant of regular bail so that they could appear in the said examination of matriculation. Petitioners are in custody for more than one month.

Heard learned A.P.P. also.

Having heard both sides, no doubt the petitioners were arrested by the police at the spot on chase, however petitioners are students and candidates of matriculation examination which is scheduled to commence from 01.03.2017 and also they have clean antecedent and have remained in custody for more than one month, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sri S. Patel, learned Judicial Magistrate, 1st Class, Bagaha, District – West Champaran, in connection with Laukariya P.S. Case No. 04 of 2017, subject to the following conditions that:-

- (i) One of the bailors of the petitioners shall be their father or mother and another shall be a



local person having sufficient immovable property within the jurisdiction of the concerned Court.

- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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