

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28253 of 2017

Arising Out of PS.Case No. -190 Year- 2016 Thana -KAMTAUL District- DARBHANGA

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1. Shiv Shankar Sahni, Son of Jalim Sahni,
2. Binod Sah Son of Mahi Sah @ Mehi Sah, Both are Resident of Village-
Bairiya, Paigambarpur, P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-07-2017 Heard Sri. Pankaj Kumar Das, learned counsel for the
petitioners. No one appears for the State.

The petitioners, in the present case, are seeking regular
bail in connection with Kamtaul P.S. Case No. 190 of 2016
registered under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that
allegation is of theft of a Bolero. However, name of the petitioners
have transpired in the confessional statement of co-accused which
is not admissible in evidence. Learned counsel submits that in fact,
both the petitioners were arrested on suspicion in Singhwara P.S.
Case No. 176 of 2016 and 181 of 2016 under Sections 379 and
511 IPC. However, there is no recovery from possession of these



petitioners. In the Singhwara P.S. cases the petitioners are on bail.

Considering the nature of the allegation and the fact that the petitioners are in custody since 08.02.2017, when both of them were taken on remand from the Singhwara P.S. Case No. 181 of 2016, let the petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Darbhanga in connection with Kamtaul P.S. Case No, 190 of 2016 Subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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