

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32102 of 2017

Arising Out of PS.Case No. -61 Year- 2016 Thana -MURAR District- BUXAR

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1. Munna Mushar, Son of Dhora Mushar @ Girja Mushar, Resident of Village- Basudhar, P.O. Basudhar, P.S. Itarhi, District- Buxar.
2. Ram Pravesh Mushar, Son of Bishwanath Mushar, Resident of Village and P.O.- Basudhar, P.S. Itarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Sri Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-08-2017 This application is for grant of regular bail in connection with Murar P.S. Case No. 61 of 2016 registered for the offence(s) under section(s) 457 and 380 of the Indian Penal Code.

Petitioners are not named in the FIR and later on, their names transpired during the course of investigation on the basis of confessional statement of co-accused, for that, it appears that there was some recovery from the possession of the petitioners.

Submission of the learned counsel for the petitioners is that though recovery has been made in connection with other cases, not in the present case and moreover in this case the petitioners are in custody for about 7 ½ months.

Having heard both sides and in view of the facts and



circumstances, as stated above, this application is allowed.

Let the petitioners, above named, be enlarged on bail on their furnishing bail bond of Rs. 25,000/-(Rs. Twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Murar P.S. Case No. 61 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioners 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 rhyme or reasons, the prosecution will have liberty to move for cancellation of their bail.
- (iv) If the petitioners are found involved, in future, in similar type of offence, their bail shall be cancelled.

(Vinod Kumar Sinha, J)

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