

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28400 of 2017

Arising Out of PS.Case No. -72 Year- 2017 Thana -RAJAULI District- NAWADA

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1. Rameshwar Prasad Son of Gurudeo Prasad resident of Village Takua Tarh Rajauli, P.S. Rajuali, District Nawada.
 2. Chandan Kumar Son of Subodh Kumar Modi @ Santosh Modi Village - Mahtma Khaira, P.S. Satgama, District Kodarma, Jharkhand.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 06-07-2017

Heard learned counsel for the petitioners and

the learned A.P.P. for the State.

Petitioners, in the present case, are seeking regular bail in connection with Rajauli P.S. Case No. 72/2017 registered for the offence punishable under Sections 406, 420, 379, 120(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the allegation against the petitioners is that they were keeping out the milk from one tanker which belonged to another person and was involved in black marketing of the milk. The petitioners were said to be involved in loading the milk on a pick-up van and were arrested by the police.



Seizure list was prepared, however the seizure list is not in accordance with the provisions of the Cr.P.C. Petitioner no. 1 is the cook of the line hotel, whereas petitioner no. 2 is a Khalasi of pick-up van. Learned counsel would also submits that a coordinate Bench of this Court has granted regular bail to the co-accused in Cr. Misc. No. 28317/2017.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the nature of allegation, although these petitioners are said to be involved in two other cases in which they are on bail, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada, in connection with Rajauli P.S. Case No. 72/2017, subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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