

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39163 of 2017

Arising Out of PS.Case No. -155 Year- 2017 Thana -CHIRAIYA District- EASTCHAMPARAN(MOTIHARI)

- =====
1. Maikal Akash
 2. Maikal Satish both son of Maikal Markond resident of village Purabkot
Jajpur Road P.S. Kore District Jajpur (Orissa)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-08-2017

Heard learned counsel for the petitioners and learned

APP for the State.

This is a case registered under Sections 379 and
414/34 of the Indian Penal Code.

Allegation of the informant is that some unknown
persons have snatched Rs. 20,000/- from him and fled away on
two motorcycles.

Counsel for the petitioners submits that the
petitioners were arrested nearly 15 k.ms., away from the alleged
place of occurrence. He further submits that when the said
motorcycle was seized it was found that the same belongs to the
other co-accused persons who have also been arrested in the case.
He also submits that prior to the instant case there is no other
criminal cases pending against them. Nothing incriminating has



been recovered from their possession and that they are in custody since 09.06.2017.

In the facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Sikrahna, Dhaka, East Champaran subject to the conditions :

- (i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.
- (ii) That the affidavit shall clearly state that the petitioners are not accused in any other case and if they are, they shall not be released on bail.
- (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.
- (iv) That the petitioners will give an undertaking that they



will receive the police papers on the given date and be present on date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

- (v) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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