

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 59163 of 2017

Arising Out of PS.Case No. -225 Year- 2016 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

- =====
1. Pappu Mushar, son of Late Bihari Mushar Hari, Resident of Village-
Yadav Mor Chousa, P.S.- Chausa, District- Buxar.
 2. Vinod Mushar, Son of Anand Mushar, Resident of Village Hwan
Hankanpur, P.S.- Rahpur, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Dharmendra Kumar Singh, Advocate
For the Opposite Party/s : Mr Surendra Kumar, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 19-12-2017

Heard counsel for the petitioners and the State.

Petitioners are accused in Durgawati Police Station
Case No 225 of 2016 registered for the offence punishable under
Section 379 of Indian Penal Code.

Allegation pertains to stolen motorcycle of the
informant. First information report is against unknown persons
and merely on the basis of suspicion, counsel for the petitioners
submits, that the petitioners have been implicated in this case. No
recovery has been made from the possessions of the petitioners.
Petitioners have not been put on test identification parade nor the
informant has raised any suspicion. The petitioners are in custody



since 17.03.2017. As regards petitioner No 2, it is submitted that he has no criminal antecedent and though petitioner No 1 is accused in some cases mentioned in paragraph 3 but in all the said cases, he is on bail.

Considering the submissions made on behalf of the petitioners, prayer for bail is allowed. Let the petitioners above named be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kaimur at Bhabhua in Durgawati Police Station Case No 225 of 2016 subject to the following conditions:

(1) 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.

(2) 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)

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