

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54357 of 2017

Arising Out of PS.Case No. -140 Year- 2017 Thana -POTHIYA District- KISANGANJ

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1. Jakir, Son of Lal Mohammad,
2. Badir Son of Bilat Ali, Both R/o Village- Belwa Chhagalia,
P.S.+District- Kishanganj.

.... Petitioners/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-11-2017 The petitioners seek regular bail in connection with Pothia P.S. Case No. 140 of 2017, registered for offences punishable under Sections 413, 414, 379 and 411 of the Indian Penal Code.

Allegation is of recovery of 25 quintals wire from a pick-up van and petitioners and others were arrested on spot.

It has been submitted on behalf of the petitioners that one of the petitioners is driver of the said pick up van from which the recovery was made and other is a labourer and has nothing to do with the seized articles. Further other accused person having similar allegation has already been enlarged on bail by a coordinate Bench of this Court vide order dated 02.11.2017 passed in Cr. Misc. No. 51058 of 2017 and petitioners have been in



custody since 26.07.2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts as well as in view of the fact that other co-accused has already been released on bail by a coordinate Bench of this Court, as such, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Kishanganj, in connection with Pothia P.S. Case No. 140 of 2017, 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 reasons, the prosecution is free to
move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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