

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.274 of 2017

Arising Out of PS.Case No. -84 Year- 2015 Thana -BHAGALPUR GRP CASE District-
BHAGALPUR

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1. Tinku Mahaldar Son of Meter Mahaldar
2. Pappu Mahaldar Son of late Sakal Mahaldar, Both are Resident of
Village-Lailakh, P.S. Sabour, Distt. Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2017 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Section 379 of the Indian Penal Code.

The prosecution case, in brief, is that on the alleged
date and time of occurrence 8-10 unknown persons looted away
trolley bag of the informant's wife containing jewellery of Rs.5
lacs from the train.

It has been submitted on behalf of the petitioners that
there is no allegation of tampering of witnesses alleged
against the petitioners. The petitioners have falsely been
implicated in the present case. The petitioners are not named in



the F.I.R. They have not been put on Test Identification Parade. There is no recovery of any incriminating article from the possession of the petitioners. The only material against the petitioners is the confessional statement of co-accused Sushil Mandal. The other co-accused have been granted anticipatory bail vide Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Bhagalpur in connection with Rail Bhagalpur P.S. case No.84 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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