

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11448 of 2017

Arising Out of PS.Case No. -220 Year- 2016 Thana -BARAHIYA District- LAKHISARAI

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1. Kanhaiya Kumar, Son of Bachu Mahto
2. Bikash Kumar, Son of Madan Mahto.
Both Resident of Village- Barhiya, Ward No. 2, Tedtar, Police Station-
Barahiya, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Raju, Advocate.

For the Opposite Party/s : Mr. Sakir Ahmad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 12-04-2017 Heard learned counsel for the petitioners and the

State.

The petitioners seek bail in Barhiya P.S. Case No. 220

of 2016 instituted for the offence under Section 384/34 of the

Indian Penal Code.

It has been submitted that petitioners are not named in

the written report. They have been arrested by the police merely

on suspicion and police recorded their confession.

From the written report it appears that articles were

looted from the passengers in a Tata Magic vehicle going from

Patna to Munger, loaded with materials of Airtel Tower.

Mechanic Arjun Kumar was in the vehicle.



Case diary has been received.

During investigation, it has come that police arrested petitioners from the place of occurrence and both the petitioners have confessed their guilt before the police. It is alleged that one Mobile phone has been recovered from possession of petitioner No. 2 and Rs.980/- has been recovered from petitioner No. 1.

From the case diary it appears that no Test Identification Parade has been done. Petitioners are in custody since 9.12.2016.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Barhiya P.S. Case No. 220 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioners.

S.Ali/-

(Sanjay Priya, J)

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