

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26162 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -EKANGARSARAI District- NALANDA
(BIHARSHARIFF)

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1. Akhilesh Rai @ Akhilesh, Son of Bajrangi Rai, resident of village-Kutupur, Police Station- Biddupur, District- Vaishali.
2. Rupesh Kumar Son of Ram Pravesh Singh, Resident of Village-Bajitpur, Tola Gokhulpur, Police Station- Biddupur, District- Vaishali.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Najmul Hoda

For the Opposite Party/s : Mr. Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 19-07-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Ekangarsarai P.S.Case No. 38 of 2017 registered for the offences punishable under Section 395 of the Indian Penal Code.

Petitioners are not named in the FIR and the case is under Section 395 IPC.

It has been submitted on behalf of the petitioners that names of petitioners have transpired during course of investigation and further petitioners were not aware of the fact that the articles were stolen and loaded the same in the pickup van. It has also been submitted that petitioners are in custody since 5.4.2017.

Heard learned APP also.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioners, named above, be



released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Hilsa at Nalanda, in connection with Ekangarsarai P.S.Case No. 38 of 2017, subject to the conditions that :-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties 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 reason, the prosecution is free to move for cancellation of their bail.
- (iv) If petitioners are involved in such type of cases in future, their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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