

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17748 of 2017

Arising Out of PS.Case No. -24 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Smt. Savitri Devi @ Savatri Devi, W/o Late Sri Prakash, resident of Village- Takaha Purab Kattar, P.S.- Phoolpur, District Azamgarh (U.P.), presently residing at Collectoranj (Pachchimi Kaudia), P.S. Shahganj, District- Jaunpur (U.P.).

2. Prabhunath Yadav, @ Prabhu Nath, Son of late Shambhunath Yadav, Village- Khanjahapur, P.S.- Phoolpur, District- Azamgarh (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ravi Shankar Sahay, Adv & Mr. Navin Kumar, Adv
For the Opposite Party/s	:	Mr. Sri Anish Chandra, APP
For the Informant	:	Mr. Anil Chandra, Adv

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-04-2017 The petitioners are apprehending their arrest in connection with Mohania P.S. Case No. 24 of 2017, registered for the offences punishable under Sections 379/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that



petitioner no. 1, is the owner of the truck and is a lady. So far as petitioner no. 2 is concerned, he is the driver of the truck and there is allegation against him that he eloped with the truck. It has been further submitted that the truck was seized with ulterior motive and police has lodged the case against the owner of the truck along with other trucks also.

Heard learned A.P.P. who has opposed the prayer of bail.

Having heard both sides and in view of the allegation against petitioner no. 2, Prabhunath Yadav, is concerned, he is directed to surrender before the court below and make prayer for regular bail, which would be considered on its own merit, without being prejudiced by anything said in this order.

The bail application of petitioner no. 2, Prabhunath Yadav, is hereby rejected.

So far as petitioner no. 1 is concerned, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned **C.J.M. Bhabua at Kaimur**, in connection with **Mohania P.S. Case No. 24 of 2017**, subject to the



conditions as laid down under Section 438(2) of the Cr.P.C.

(i) One of the bailor of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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