

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10071 of 2017

Arising Out of PS.Case No. -58 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Baran Sah Son of Late Shankar Sah
2. Surya Sah @ Suraj Sah Son of Late Shankar Sah Both are Resident of
Village-Thawaya, P.S.-Majhauria, District-West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur-2

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-03-2017

Heard learned counsel for the petitioners and the State,

The petitioners apprehend their arrest in T.R. No. 4001 of 2016, arising out of Majhauria P.S. Case No.58 of 2016 instituted for the offence under section 392 of the Indian Penal Code.

It has been submitted that petitioners have clean antecedent. The motorcycle has already been released in favour of the informant. The I.O. has submitted charge-sheet under sections 341, 323, 504, 379/34 of the Indian Penal Code but learned Magistrate has taken cognizance under section 392 of the Indian Penal Code.

As per allegation, both the petitioners have snatched the motorcycle of the informant.

The learned District and Sessions Judge, Bettiah has mentioned in the impugned order that petitioners were granted privilege of bail under section 41 of the Cr.P.C



As per submission of the petitioners the police have submitted charge sheet under sections 323, 504, 379/34 of the Indian Penal Code but the cognizance has been taken by the Judicial Magistrate under section 392 of the I.P.C.

The motorcycle has already been released in favour of the informant.

It is mentioned in para-3 that the petitioners have clean antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners named above, within six weeks from today, in connection with T.R. No. 4001 of 2016, arising out of Majhulia Case No. 58 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Bettiah, West Champaran, subject to the conditions as laid down under Section 438(2) Cr.P.C

(Sanjay Priya, J)

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