

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5155 of 2017

Arising Out of PS.Case No. -392 Year- 2016 Thana -SUPAUL District- SUPAUL

- =====
1. Basant Mukhiya, Son of Chulhai Mukhiya, resident of Village- Malhani, Police Station & District- Supaul.
 2. Jasilal Mukhiya, Son of Ganeshi Mukhiya, resident of Village- Hasha, Police Station- Bisanpur, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 18-03-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehends their arrest in connection with Supaul P.S. Case No.392 of 2016 registered under Sections 461 and 379/34 of the Indian Penal Code.

The accusation is that on 15.08.2016, in the evening, at about 06.00 P.M., the informant after closing his shop, in the name of Grahak Sewa Kendra, returned to his house. On the next day (16.08.2016), in the morning, at about 07.00 A.M., when the informant went to open his shop, he found the lock of the latch of the shop opened and when he entered the shop, he found that



Rs.85,000/- and other materials worth Rs.1,54,500/- were stolen from his shop. The informant raised suspicion against five persons, named in the F.I.R., including the petitioners having their hands in committing the theft in his shop as they were moving on 15.08.2016 near his shop.

Learned counsel appearing on behalf of the petitioners submits that the petitioners and other accused, named in the F.I.R., are either of the same family or their relatives. In fact, Fulan Devi, the wife of the co-accused Shankar Mukhiya, had earlier lodged Supaul P.S. Case No.288 of 2016 for the offence under Sections 341, 323, 324, 379, 504 and 506/34 of the Indian Penal Code against the informant of the present case and others, due to that reason, only to put undue pressure and on mere suspicion, the petitioners and other accused, named in the F.I.R., have falsely been implicated in this case by the informant in this case.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Supaul, in connection with Supaul P.S. Case No.392 of 2016, subject to the



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

(Rajendra Kumar Mishra, J)

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