

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2480 of 2017**

Arising Out of PS.Case No. -110 Year- 2016 Thana -BEGUSARAI GRP CASE District-  
BEGUSARAI

- =====
1. Mithilesh Yadav @ Mitho Yadav
  2. Shubham Yadav @ Karo Yadav, son of Late Rajendra Yadav,  
Both Resident of Village Daan Tola, Panchayat Bhawan, P.S. Khagaria  
Town, District Khagaria.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Mrityunjay Kumar, Advocate

For the Opposite Party : Mr. Sri Matloob Rab (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

2      28-01-2017                      Heard learned counsel for the petitioners and learned  
counsel representing the State.

The petitioners seek bail in connection with Barauni  
Rail P.S Case No. 110 of 2016 (G.R. No. 132 of 2016) registered  
for the offence punishable under Section 379/34 of the Indian  
Penal Code.

Allegedly, some person snatched gold chain of the  
informant when he was getting down of the train to bring water in  
the meantime, five youth started fleeing away towards West and  
then the informant raised alarm and after chase the passengers and  
police caught four persons including the petitioners and they  
disclosed that Vikash Kumar fled away with chain.

Submission is of false implication and that nothing  
has been recovered from possession of the petitioners, they have



been made victim of the circumstances. The petitioners have got no criminal antecedent and without any fault they are suffering in custody since 06.11.2016 and, as such, they deserve sympathetic consideration.

Learned A.P.P. submits that the petitioners were arrested after chase.

In the facts and circumstances stated above, considering that nothing has been recovered from possession of the petitioners and, as such, petitioners are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Railway Judicial Magistrate Barauni, in connection with Barauni Rail P.S. Case No. 110 of 2016 (G.R. No. 132 of 2016), subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

**(Jitendra Mohan Sharma, J.)**

Rajiv/-

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