

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3933 of 2017

Arising Out of PS.Case No. -223 Year- 2016 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Armann Gawala, Son of Late Kamal Gawala, Resident of Village- Fatapukur, P.S.- Rajganj, District- Jalpaigudi, State- West Bengal.
 2. Shakti Gawala, Son of Sharma Gawala, Resident of Village- Fatapukur, P.S.- Rajganj, District- Jalpaigudi, State- West Bengal.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 27-02-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners seek bail in connection with Chakia P.S.
Case No.223 of 2016 registered under Sections 382, 413 and 414/34 of
the Indian Penal Code.

The accusation is that both the petitioners were seen on
suspicious condition by the police and on being called by the police to
make query from them, they started to flee away on Pulser motorcycle
bearing Registration No.UP-78CU-2737 but both were apprehended by
the police and confessed about committing the theft of cash by breaking
the dickey of the motorcycle and also from ATM machine. Both the
petitioners could not produce any paper regarding the motorcycle as



recovered from their possession.

Learned counsel appearing on behalf of the petitioners submits that, in fact, the petitioners have falsely been implicated in this case by the police on mere suspicion showing the recovery of the motorcycle from their possession but till the submission of the charge-sheet, the police has not given any definite opinion whether the seized motorcycle is a theft motorcycle. Further submission is that the petitioners having no criminal antecedent are in custody since 08.09.2016.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari, in connection with Chakia P.S. Case No.223 of 2016. Out of the two sureties, one must be close relative of the petitioners, who will file an affidavit giving genealogy as to how he/she is related with the petitioners. The bailors will undertake to furnish information to the court about any change in the address of the petitioners.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

