

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52904 of 2016

Arising Out of PS.Case No. -736 Year- 2015 Thana -NAWADA District- NAWADA

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1. Munna Dom S/o Anil Dom, R/o Gopal Nagar, P.S. Nawada, District- Nawada.
 2. Mukesh Dom, S/o Nandu Dom, R/S Mahdipur, P.S.- Warsaliganj, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Rina Sinha, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 24-08-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

Petitioners are languishing in judicial custody since 13.04.2016 in connection with Nawada Town P.S. Case No. 736 of 2015 registered for the offence punishable under Sections 457 and 380 of the Indian Penal Code.

The prosecution case, as lodged by the Nazir of Civil Court, Nawada, is that in the night of 22.11.2015, some miscreants have broken the lock of the post-office and committed theft.



It is submitted by the learned counsel for the petitioners that no article has been alleged to have been stolen, petitioners are not named in the First Information Report and it is only on the basis of confessional statement of co-accused, Rustam Dom, who has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 39859 of 2016 on 19.09.2016, that he has been made accused. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner and that considering the period of custody, a sympathetic consideration be given.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioners, named above, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S.



Case No. 736 of 2015, subject to the condition that one of the bailors would be a close relative of the petitioner.

(Nilu Agrawal, J.)

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