

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43590 of 2017

Arising Out of PS.Case No. -95 Year- 2017 Thana -JALE District- DARBHANGA

- =====
1. Ravi Kumar son of Surendra Sharma resident of Village- Dosimana (Bharwara) P.S. Singhwara District Darbhanga.
 2. Sanjeet Kumar son of Mahesh Sah resident of Village- Hingrouli P.S. Pupri District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 14-11-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in judicial custody since 09.06.2017 in connection with Jalley P.S. Case No. 95 of 2017 for offences punishable under Sections 401, 411, 403, 414, 419, 420, 468, 34 of the Indian Penal Code.

The prosecution case, as lodged by the police personnel, is that during patrolling duty they found a motorcycle coming which was stopped and three persons including the petitioners were apprehended. On demand, they did not provide any papers of the motorcycle which was stolen one and on inquiry from the District Transport Office, it was found that the



motorcycle was registered in the name of one Anil Kumar Singh and not the petitioners.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal antecedent and have been falsely implicated in the aforesaid case. In fact, they had been given the motorcycle for riding by one Sunil Kumar who was a motorcycle mechanic and they did not know it was a stolen one. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record and the period of custody, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Darbhanga in connection with Jolley P.S. Case No. 95 of 2017, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioners having sufficient immovable property, who will file an affidavit stating his relationship with the petitioners.



(2) If the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of their bail bonds.

(Nilu Agrawal, J)

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