

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16716 of 2017

Arising Out of PS.Case No. -28 Year- 2014 Thana -PIRBAHOR District- PATNA

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1. Ajay Kumar Son of Sri Prem Rajak, Resident of Village-Keshopur, P.S.-Jhajha, District-Jamui.
 2. Dharmraj Kumar Bhandari, Son of Ramchandra Paswan, Resident of Village-Bhandar, P.S.-Chanan, District-Lakhisarai,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-04-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Pirbahore P.S.Case No.28 of 2014 registered for offences punishable under Section 381/34 of the Indian Penal Code.

As per the F.I.R., the allegation of theft has been alleged against the petitioner, however, it has been submitted that the petitioners and the informant, both are the room-mates and thereafter some dispute arose between them and both of them have filed case and counter case against each other. Nothing has been recovered from the possession of the petitioners and they have no criminal antecedent.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of Smt. Kumari Vijaya, J.M.- V, Patna in connection with Pirbahore P.S.Case No.28 of 2014 dated 21.01.2014, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the trial of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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