

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59559 of 2017

Arising Out of PS.Case No. -214 Year- 2017 Thana -MADANPURA District- AURANGABAD

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1. Prabhu Sao, S/o Late Tulsi Nayak, R/o Village- Atka, P.S.- Bagodar, District- Giridih (Jharkhand).
 2. Babuni Mandal, S/o Late Kanhai Mandal, R/o Village Atka, P.S.- Bagodar, District- Giridih (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 21-03-2018 Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the State.

The petitioners are in custody since 18.09.2017 in connection with Madanpur P.S. Case No.214 of 2017 registered for the offence under Sections 395, 397, 328 and 412 of the Indian Penal Code.

Learned counsel for the petitioners submits that though it is alleged that the petitioners were arrested along with the stolen truck, which is also said to have met with an accident, and that the petitioners were demanding compensation for the loss caused on account of the accident, a story has been made out that the vehicle in question was a



stolen vehicle. In fact, the dispute between the parties arose on account of the accident and for the said reason, allegations have been levelled that the petitioners have stolen the truck for the purpose of ransom.

Learned counsel appearing on behalf of the State submits that four persons so arrested had confessed to the guilt as is evident from the case diary and, therefore, the petitioners are not entitled to the privilege of bail.

Learned counsel appearing on behalf of the petitioners, however, submits that two, out of four persons so arrested along with the vehicle, have since been extended the privilege of bail. It is further submitted that no T.I. Parade has been conducted though the petitioners are languishing in jail for six months. The alleged recovery of vehicle is not from the possession of the petitioners, rather they are found standing near the said vehicle.

Considering the entire facts and circumstances of the case and that admittedly, there was an accident/collision between the two trucks and the petitioners are having clean antecedents, let the petitioners, above named, be released on bail on their furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate,
Aurangabad, in connection with Madanpur P.S. Case No.214
of 2017.

(Anjana Mishra, J)

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