

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41514 of 2018

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1. Rahul Kumar son of Shivpujan Singh
2. Kanhaiya Kumar @ Kanhaiya Mishra, Both Resident of Village- Naya
Tola Harniya, P.S. Bakhtiyarpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Md. Ashlam Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-07-2018 Heard the parties.

The petitioners seek anticipatory bail in connection with
Bakhtiyarpur P.S.Case No. 293 of 2016, registered for offences
punishable under Section 395 of the Indian Penal Code.

The allegation against the petitioners is of prowling Rs.
91,000/- from the counter of petrol pump, where the informant is
working as a Munshi.

Submission of the learned counsel for the petitioners is
that they are not named in the F.I.R. and the case is under Section
395 of the I.P.C. but later on the name of the petitioners transpire
only on the basis of confessional statement of other co-accused
persons. It is also submitted that there is absolutely nothing
against the petitioners but previously they involved in one case in



which they are on bail.

Learned A.P.P. opposes the prayer for.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioners, above named, surrender before the court below within a period of six weeks from the date of the order, they will 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 learned Additional Chief Judicial Magistrate 1st, Barh in connection with Bakhtiyarpur P.S.Case No. 293 of 2016, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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