

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65780 of 2018

Arising Out of PS. Case No.-225 Year-2018 Thana- HISUWA District- Nawada

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1. Mithlesh Yadav son of Suresh Yadav Resident of Village-Brail
P.S. Akbarpur, Distt.-Nawada
 2. Pankaj Yadav son of Arjun Yadav Resident of Village-Sidhaul
P.S. Sirdala Distt.-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Sri Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 22-11-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners, who are in custody, seek bail in connection with Hisua P.S. Case No. 225 of 2018 registered for the offence punishable under Section 393/34 of the Indian Penal Code.

Allegation against petitioners is that they were trying to rob the Kawariya on the road and also they were in drunken condition.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. Motorcycle is of their brother in law. Petitioners were found in drunken condition. Allegation is of pelting bricks on



Kanwariya vehicle. No incriminating material or arms has been recovered from their possession. Petitioners have one criminal antecedent under Excise Act. Petitioners are in custody since 08.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Hisua P.S. Case No. 225 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bonds.

(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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