

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1599 of 2018

Arising Out of PS. Case No.-145 Year-2017 Thana- MOKAMAH District- Patna

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1. Baleshwar Ray @ Baleshwar Yadav S/o Gogu Ray
 2. Murla Rai S/o Baleshwar Ray @ Baleshwar Yadav Both Resident of Village-Ward no.-15, Mekra, P.S.-Mokama, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. SRI ASHOK KUMAR SINGH 1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2018 Heard learned counsel for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under section 379 of the IPC.

The prosecution case is that the informant Dhanbarti Devi's six she-buffaloes were stolen on 1.10.2017 from her farm house situated in Sultanpur Diyara, leading to registration of FIR against unknown. Name of the petitioners sprang up during investigation.

It is submitted by learned counsel for the petitioners that there is no recovery from the petitioners. Though petitioner no. 1 is accused in four other cases, out of which three are registered under section 379 of the IPC, but he is on bail in those cases whereas petitioner no. 2 is accused in one other case



registered under sections 323 and 504/34 of the IPC.

Learned APP submits that names of the petitioners sprang up during investigation.

Considering the fact that there is no recovery from the petitioners, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned JM Ist Class, Barh in connection with Mokama P.S. Case No. 145 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The learned court below will be at liberty to cancel the bail bonds of the petitioners if they fail to co-operate in the investigation or default on two consecutive occasions or get involved in similar nature of offence.

(Dinesh Kumar Singh, J)

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