

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55872 of 2018

Arising Out of PS.Case No. -6 Year- 2018 Thana -CHANDI District- BHOJPUR

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1. Pramod Kumar, Son of Kamakhya Narayan Sah, R/o village- Harpur, P.S.- Charpokhari, Distt- Bhojpur.
2. Sonu Kumar, Son of Laloo Sharma, R/o Village- Narvirpur, P.S.- Chandi, District- Bhojpur.

.... Petitioner/s

Versus

1The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Adv

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 379 IPC registered in connection with Chandi P.S. Case No. 06/2018.

3. It is submitted that the petitioners have been falsely implicated only on the extra judicial confessional statement of Prince Kumar and there is no recovery of any incriminating articles from the petitioner, rather the motorcycle in question is said to have been recovered from the garage of Tayab from the possession of Rahul Kumar Sharma. The petitioners claim clean antecedents.

4. Having regard to the entirety of the facts and circumstances, as such, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be



released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Chandi P.S. Case No. 06/2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- (i) That one of the bailors shall be a close relative of the petitioners.
- (ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- (iii) That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- (iv) The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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