

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30190 of 2018

Arising Out of PS.Case No. -14 Year- 2017 Thana -PIRPAINTI District- BHAGALPUR

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1. Manoj Pahariya, Son of Chapo Pahariya,
2. Nakul Pahariya, Son of Madan Pahariya,
Both are R/o Village- Majrahi, P.S.- Pirpainti, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

5 03-07-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with
Pirpainty P.S. Case No.14 of 2017 registered for the offences
punishable under Section 396 of the Indian Penal Code and
Section 27 of the Arms Act.

It is alleged that the driver of a vehicle was killed and
everything on the vehicle was looted.

It has been submitted that except confession of these
petitioners, there is nothing against them. The other co-accused
whose names were disclosed in confession have been allowed
bail in Cr.Misc.No.53810 of 2017 and Cr.Misc.No.27404 of
2018. The case of these petitioners stands on similar footing.
They are in custody since 25.02.2017 having clean antecedent.



The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioners, named above, are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of like amount each to the satisfaction of the learned 7th Additional Sessions Judge, Bhagalpur in connection with Sessions Trial No.569 of 2017 arising out of Pirpainty P.S. Case No.14 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) If the petitioners are found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

Harish/-

(Sanjay Kumar, J)

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