

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44277 of 2018

Arising Out of PS. Case No.-39 Year-2018 Thana- SARAI RANJAN District- Samastipur

Ashutosh Kumar son of Arun Kumar Raju, resident of Mohalla- Ateran Chowk, Bahadurpur, Ward No. 5, Police Station- Town, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

Criminal Miscellaneous No. 48549 of 2018

Arising Out of PS. Case No.-39 Year-2018 Thana- SARAI RANJAN District- Samastipur

Devendra Kumar @ Devendra Kumar Sharma S/o Raj Kumar Sharma, R/o Vill.- Korbaddha, P.O.- Launiya Surya Kanth, P.S.- Samastipur (Muffasil), District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In Criminal Miscellaneous No. 44277 of 2018)

For the Petitioner/s : Mr. Arvind Kumar Pandey

For the Opposite Party/s : Mr. Smt. Pronati Singh

(In Criminal Miscellaneous No. 48549 of 2018)

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 24-09-2018 Heard learned counsel for petitioners and learned counsel for the State.

Petitioners seeks bail in **Sarairanjan P.S. Case No. 39 of 2018** registered for the offence punishable under Sections 395, 397 and 412 of the Indian Penal Code.

Allegation against the petitioners is of committing



theft of Idols of the Temple.

It has been submitted on behalf of the petitioners that the name of the petitioners has surfaced in this case on the basis of confessional statement of co-accused Md. Shahnawaj @ Nihal, who has already been granted bail. Petitioners are not named in the FIR. TIP of the petitioners has not been conducted till date. Petitioners have got no criminal antecedent and are in custody since 17.04.2018. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 27.07.2018 in Criminal Miscellaneous No. 45641 of 2018, 30.07.2018 in Criminal Miscellaneous No. 45579 of 2018, 08.08.2018 in Criminal Miscellaneous No. 45859 of 2018, 09.08.2018 in Criminal Miscellaneous No. 45389 of 2018 and 10.09.2018 in Criminal Miscellaneous No. 51171 of 2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-6th, Samastipur**, in connection with **Sarairanjan P.S. Case No. 39 of 2018** with following conditions:-



(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 present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bond.

(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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