

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11303 of 2018

Arising Out of PS.Case No. -215 Year- 2017 Thana -MUSAHRI District- MUZAFFARPUR

- =====
1. Abhishek Kumar, Son of Balchand Sahni.
 2. Balchand Sahni, Son of Late Shankar Sahni, Both resident of Ward no.- 02, Choti Kothiya, P.S.- Mushahari @ Mushhari, District- Muzaffarpur, Bihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sri Arun Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-03-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in judicial custody since 29.11.2017 in connection with Mushahari P.S. Case No. 215 of 2017 for offences punishable under Sections 414/34 of the Indian Penal Code.

The prosecution case, as lodged by the police personnel, is that during course of vehicle checking, they got secret information that the petitioner no. 1 has kept a stolen motorcycle in the back side of his house, thereafter a search was



conducted and the stolen motorcycle was recovered. The villagers stated that the petitioner no. 1 along with petitioner no. 2 who are son and father respectively were used to carrying business of stolen motorcycle. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioners that they are innocent, nothing has been recovered from their conscious possession and it is only on the basis of suspicion, they have been made accused. He submits that they bear no criminal antecedent and out of inimical terms with the villagers the said stolen motorcycle has been implanted in the back side of the house. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioners.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-6th Muzaffarpur in connection with Mushahari P.S. Case No. 215 of 2017, subject to



the condition that one of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating his relationship with the petitioners.

(Nilu Agrawal, J)

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