

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12047 of 2018

Arising Out of PS.Case No. -370 Year- 2017 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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1. Lakshmi Sao, S/o Late Tulsi Sao, R/o Village- Bhadeja, P.S.- Muffasil,
District- Gaya.

2. Rakesh Kumar S/o Chotu Sao, R/o Village- Bahorma (Tetua), P.S.-
Nimchak Bathani, District- Gaya.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Gautam Kumar Kejriwal
Mr. Mohit Agrawal, Advocates.

For the Opposite Party : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 08-03-2018 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 09.12.2017 in
connection with Harnaut P.S. Case No. 370 of 2017, G.R. No. 4475 of
2017 for the offences alleged under Sections 395 and 412 of the
Indian Penal Code.

3. It is submitted that the petitioners have been
falsely implicated on mere suspicion and the petitioners are not
named in the F.I.R. Their names have surfaced on the extra judicial
confessional statement of co-accused Ashok Sao and except such
statements, there is no other material to connect the petitioners
with the alleged occurrence. No incriminating article has been
recovered from the possession of the petitioners who claim clean
antecedents. .

4. Be that as it may, having regard to the entirety of
the facts and circumstances of the case, let the petitioners above



named 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, Nalanda at Biharsharif, in connection with Harnaut P.S. Case No. 370 of 2017, G.R. No. 4475 of 2017, on the following 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 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 bonds shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioners shall cooperate 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.

(Vikash Jain, J)

Md. Ibrarul/BT

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