

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29738 of 2018

Arising Out of PS. Case No.-53 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Rajesh Kumar @ Niruhua @ Rajesh Kumar Niruhua, Son of Shankar Paswan
 2. Kundan Paswan, Son of Ajay Pasawan, Both resident of Village- Bajitpur, P.S.- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sandip Kumar Gautam, Advocate
For the Informant	:	Mr. Shubhesh Pandey, Advocate
For the State	:	Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-05-2018 Heard learned counsel for the petitioners, learned
counsel for the informant and the State.

The petitioners apprehend arrest in Muffasil P.S.
Case No. 53 of 2018 instituted for the offence under Sections
457,379 of the IPC.

Counsel for the petitioners submits that both the
parties are next door neighbour and the occurrence has taken
place on 24.01.2018 and FIR has been lodged on 30.01.2018
without any valid explanation.

In the written report, it is alleged that when the
informant had gone to market these petitioners entered into the
house after breaking the lock, and committed theft. The
informant returned back to her house, then saw both the
petitioners were running away from his house.



From the written report itself, it is apparent that there is no any recovery from possession of the petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Muffasil P.S. Case No. 53 of 2018 to the satisfaction of the learned Chief Judicial Magistrate, Begusarai, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (1) (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (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.

(Sanjay Priya, J)

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