

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38950 of 2018

Arising Out of PS.Case No. -864 Year- 2017 Thana -KANKARBAGH District- PATNA

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1. Banti Kumar @ Shubham Singh son of Sri Sanju Chandravanshi alias Sanjay Prasad
2. Aakash Kumar son of Late Nagendra Prasad Both residents of Mohalla - RMS Colony Kankarbagh, Police Station - Kankarbagh, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Kankarbagh P.S.Case no.864 of 2017 , registered for offences punishable under Sections 448, 341, 323, 380 and 506 of the Indian Penal Code.

Allegation against the petitioners as per FIR is that the petitioners were gambling in front of the house of the informant and when he objected they assaulted on the head and later on entered into the house and took away a bag containing Rs.11,000/- and a chain.

Submission of the learned counsel for the petitioners is that they have no criminal antecedent, they are students and they have



been falsely implicated in this case.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Smt. Madhavi Singh, J.M. first class, Patna in connection with Kankarbagh P.S. Case no.864 of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With 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) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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