IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49416 of 2018

Arising Out of PS.Case No. -77 Year- 2018 Thana -GURARU District- GAYA

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1. Devendra Das, Son of Deolakhan Das,
2. Tapeshwar Manjhi, Son of Budhan Manjhi, Both Resident of Village- Jagatewar Deha, P.S.- Guraru, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sudhir Kumar Sinha
For the Opposite Party/s : Mr. Sri Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-08-2018 Heard learned counsel for the petitioners and learned A.P.P.

At the outset, learned counsel for the petitioners submit that during pendency of this petition, the petitioner No 1 has already been arrested and as such, this application has become infructuous.

Accordingly, this application of petitioner No. 1, is dismissed as same has become infructuous.

The petitioner No. 2 seeks anticipatory bail in connection with Guraru P.S. Case No. 77 of 2018, registered for offences punishable under Sections 147, 323, 325, 307 and 379 of the Indian Penal Code.

As per F.I.R., allegation against the petitioner No. 2 is of snatching the motorcycle of the uncle of the informant and cash Rs 3000/- from his pocket.

Submission of the learned counsel for the petitioner is

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that the petitioner has been falsely implicated in this case and there is no eye witness of the occurrence and as a matter of fact, the uncle of the informant along with his motorcycle, produced by villagers and handed over to the police station, which would appear from Annexure-2, thereafter the present case has been lodged by the informant to save the skin.

Heard learned A.P.P. who opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named on surrender or arrest within six weeks be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- V, Gaya in connection with Guraru P.S.Case No. 77 of 2018, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court

With the aforesaid, this application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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