

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67995 of 2018

Arising Out of PS. Case No.-266 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

1. Tamatar Yadav, Son of Kapil Yadav, Resident of Village-Umrai Bigha, P.S. Makhdumpur (Tehta O.P.), Distt.-Jehanabad
2. Munna Yadav @ Munna Kumar, Son of Suresh Yadav, Resident of Village-Umrai Bigha, P.S. Makhdumpur (Tehta O.P.), Distt.-Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 17-12-2018 Heard learned Counsel for the petitioners, informant and learned APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 379/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report submitted by Mohi Yadav to the Station House Officer, Tehta (O.P.), Makhdumpur, Jehanabad Police Station to the effect that the motor and starter were stolen from the back of the house of the informant, concerning which a suspicion has



been raised that the petitioners and others might have stolen the same.

It is submitted by learned counsel for the petitioners that the accusation has been levelled against the petitioners only on suspicion and there is no eye witness to the occurrence. In fact, the petitioners were not present on the spot on the alleged date of occurrence. Moreover, for the occurrence of 21.07.2018, the FIR was registered on 24.07.2018. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned counsel for the informant that the petitioners are named in the FIR with specific accusation.

Considering the suspicious nature of accusation, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Jehanabad, in connection with Makhdumpur (Tehta O.P.) P.S. Case No. 266 of 2018, subject to the conditions as



laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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