

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17351 of 2018

Arising Out of PS.Case No. -108 Year- 2017 Thana -PURAINI District- MADHEPURA

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1. Mantu Kumar Bhagat, S/o Rajendra Bhagat,
2. Sanjay Kumar Sah @ Sanjay Kumar S/o Shankar Sah, Both R/o Village-
Panchgachhia, P.S.- Gopalpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-05-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Puraini P.S.Case nO.108 of 2017, G.R.No.1131 of 2017 , registered for offences punishable under Section 379 of the Indian Penal Code.

Allegation against the petitioners is not in the FIR and later on his name transpired on confession of the co-accused and the allegation is that two accused persons misrepresented the informant and took gold ornaments to wash it and thereafter those two persons fled away with the ornaments and one of the co-accused has been granted bail by this Court vide order dated 2.4.2018 passed in Cr. Misc. No.8049 of 2018.

Submission of the learned counsel for the petitioners is that



Heard learned A.P.P. also.

Having heard both sides and in view of the fact that one of the co-accused having similar allegation has been granted privilege of the anticipatory bail, 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 J.M. Ist class, Uda Kishunganj, District Madhepura in connection with Puraini P.S.Case No.108 of 2017, G.R.No.1131 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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