

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11987 of 2018

Arising Out of PS.Case No. -90 Year- 2017 Thana -RAJNAGAR District- MADHUBANI

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1. KRISHAN KUMAR @ KISHAN KUMAR, S/o Ranjeet Yadav,
Resident of Village- Naya Tola- Rautara, P.S.- Rautara, District-
Katihar.
 2. Anand Yadav, S/o Gopi Yadav @ Gopal, Resident of Village- Naya
Tola, Jurabgund, P.S.- Koadha, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 15-03-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in judicial custody since
26.08.2017 in connection with Raj Nagar P.S. Case No. 90 of
2017 corresponding to C.R.I. Case No. 880 of 2017 for offences
punishable under Sections 382, 379, 356/34 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that while she was taken out Rs. 40,000/- from Allahabad Bank
and was along with her son, two miscreants in a motorcycle
snatched the said sum.



It has been submitted by the learned counsel for the petitioners that they are innocent, not named in the F.I.R. and have been falsely implicated. He submits that nothing has been recovered from the possession of the petitioners, no T.I. Parade has been done and that just because the petitioners have criminal antecedent of similar type of offence, they have been made accused in the present case. He submits that charge-sheet has already been submitted and the petitioners are languishing in judicial custody since more than six months.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioners are habitual offenders and as many as three cases of similar nature are pending against them.

Be that as it may, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Madhubani in connection with Raj Nagar P.S. Case No. 90 of 2017 corresponding to C.R.I. Case No. 880 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioners having sufficient immovable property, who will



file an affidavit stating his relationship with the petitioners.

(2) If the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of their bail bonds.

(Nilu Agrawal, J)

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