

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36404 of 2018

Arising Out of PS.Case No. -344 Year- 2018 Thana -SITAMARHI District- SITAMARHI

- =====
1. Suday Kumar, S/o Mahendra Ray,
 2. Mukesh Kumar @ Mukesh Ray, S/o Mahendra Ray, Resident of Village- Hussaina Ward No. 13, P.S. and District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 19-07-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners seek bail in connection with Sitamarhi
Police Station Case No. 344 of 2018 registered for an offence
punishable under section 414 of the Indian Penal Code.

Petitioners and co-accused were arrested with a stolen
motor cycle. One of the accused confessed his guilt that he had
stolen the aforesaid motor cycle.

The learned counsel for the petitioners submits that
the motor cycle in question was given by co-accused Sanjay
Kumar. Petitioners are pillion rider having no concern with the
said motor cycle. The said Sanjay Kumar, who was driving the
motor cycle, has already been allowed bail by one of the



coordinate Bench of this Court in Cr. Misc. No. 39592 of 2018. Petitioners are in custody since 03.04.2018 having clean antecedent and so they deserve bail.

The learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi Police Station Case No. 344 of 2018, subject to the 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 cooperate in the disposal of trial and make themselves available as and when required by the court.

(Sanjay Kumar, J)

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