

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41543 of 2018

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1. Kalu Pandey @ Umesh Pandey son of Sri Ambika Pandey
2. Shambhu Pandey son of Late Ram Subhag Pandey Both are petitioners
are resident of village Dharakana P.S. Dawath, District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Sri Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-07-2018 The petitioners are apprehending their arrest in connection with Bihiya P.S. Case No. 386 of 2017, registered for offences punishable under Section 379 of the Indian Penal Code.

Allegation against the petitioners is of commission of theft of tractor.

It has been submitted on behalf of the petitioners that they have no criminal antecedent and have falsely been made accused in this case only on the basis of confession and except that there is nothing against the petitioners and the alleged tractor has not been recovered from the petitioners rather the recovery has been made from some other person from U.P.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from



the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM –V, Bhojpur, Ara in connection with Bihiya P.S. Case No. 386 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (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 shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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