

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17579 of 2018

Arising Out of PS.Case No. -21 Year- 2017 Thana -NAUGACHHIYA RAIL P.S. District-
KHAGARIA

- =====
1. Mukesh Kumar, Son of Dinesh Paswan, Resident of Village-Guwalpara, P.S. Rupauli District-Purnea.
 2. Deepak Kumar Paswan, Son of Akhileshwar Paswan, Resident of Village-Mazadur Colony, P.S. Siliguri, District-Darjiling (W.B.).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate.

For the Opposite Party/s : Mr. Akbar Ali, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Naugachhiya Rail P.S. Case No. 21 of 2017** instituted for the offence under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that petitioner has clean antecedent. He is not named in the written report. His name has come during investigation on the basis of CDR of SIM number which was found being used by these petitioners. From perusal of paragraph-11 of the bail petition it appears that SIM numbers which has been mentioned in the case diary does not tally with the SIM No. of the Mobile of the



informant given in the written report which is alleged to have been snatched.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Naugachhiya Rail P.S. Case No. 21 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate (Railway), Khagariya**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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