

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5054 of 2018

Arising Out of PS.Case No. -145 Year- 2017 Thana -KASBA District- PURNIA

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1. Chandan Chouhan, S/o Late Bishwa Nath Chouhan @ Vishvanath Jamadar,
 2. Tuntun Chouhan S/o Jamun Chouhan, Both R/o Village- Harihand Pur, P.S.- Jalalgarh, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 20-02-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners are languishing in judicial custody since 28.09.2017 in connection with Kasba P.S. Case No. 145 of 2017 for offences punishable under Sections 461, 379 of the Indian Penal Code later on Sections 411/34 of the Indian Penal Code has been added.

The prosecution case, as lodged by the informant, is that the shutters of his two shops were broken and some thieves stole away his Laptop, LCD and cash of Rs. 14000/- from both the shops.



It has been submitted by the learned counsel for the petitioners that they are innocent, not named in the F.I.R. and just because one Laptop was seized from the possession of the petitioner no. 1 that they have been made accused in the present case. He submits that the petitioners do not bear any criminal history, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, 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 Chief Judicial Magistrate, Purnea in connection with Kasba P.S. Case No. 145 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) Petitioners will cooperate in the trial



and will also appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J)

Devendra/-

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