

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5243 of 2019

Arising Out of PS. Case No.-195 Year-2018 Thana- BARHIYA District- Lakhisarai

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1. Dharam Yadav s/o Late Kapur Yadav Both R/o- Naya Tola, Jurabganj, Kodha, PS- Kodha, District- Katihar
 2. Sumit Kumar s/o Ram Singh Both R/o Naya Tola, Jurabganj, Kodha, P.S.- Kodha, District- Katihar. Petitioner/s

Versus

1. The State of Bihar
 2. The Branch Manager, SBI , Bank Branch Barahiya, PS-Barahiya, Dist- Lakhisarai Opposite Party/s
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Appearance :

For the Petitioner/s : Mr.Ajit Kumar
For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-02-2019 Heard the learned counsel for the petitioners and the
learned counsel for the State.

The petitioners seek regular bail in connection with Barahiya PS case no. 195 of 2018 registered for the offence punishable under Sections 379, 411, 406, 420/34 of Indian Penal Code.

The allegation is regarding the Bank Manager having filed the FIR to the effect that the petitioners herein were standing near the counter and were making suspicious movements, when the Guard was cautioned, whereafter the said persons tried to flee away but were apprehended by the Guard and upon search, a cash amount of Rs. 34,400/- and some other articles were recovered.



The learned counsel for the petitioners has submitted that as far as the petitioner no. 1 is concerned, one case is pending against him, in which he is on bail. As far as the petitioner no. 2 is concerned, he has been implicated in three cases, however only after being apprehended in the present case although the said cases are against unknown miscreants. It is further submitted that the petitioners are languishing in custody since 21.09.2018.

The learned counsel appearing for the opposite party no. 2 has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Barahiya PS case no. 195 of 2018.

(Mohit Kumar Shah, J)

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