

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4671 of 2019

Arising Out of PS. Case No.-59 Year-2018 Thana- Chousa District- Madhepura

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1. Md. Mumtaj aged about 24 years (M), S/o Md. Sattar.
 2. Md. Harun, aged about 18 years (M) S/o Md. Miraj @ Md. Mumtaj @ Md. Meraj Alam.

Both residents of Village- Chousa, P.S.- Chousa, District- Madhepura.
... .. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nand Kishore Singh,Adv.
For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-02-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection with Chousa P.S. Case No.59 of 2018 registered for the offences punishable under Sections 461 and 379 of the Indian Penal Code.

Learned counsel for the petitioners submits that the stolen articles have been recovered from the possession of co-accused, Prem Lal Kumar and Binod Ram. Nothing has been recovered from the possession of these petitioners, however, the co-accused have in their confessional statements took name of these petitioners also because of which they are being falsely implicated in the present case. It is submitted that these



petitioners have no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for bail.

In the given facts and circumstances of the case, considering the submissions, save and except the confessional statement of the co-accused, there is no recovery of any stolen article from the possession of these petitioners and they have no criminal antecedent, in case of arrest or surrender of the petitioners within a period of four weeks from today, the abovenamed petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.15,000/-(rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura, in connection with Chousa P.S. Case No.59 of 2018, subject to the condition that petitioners shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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