

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3169 of 2019

Arising Out of PS. Case No.-147 Year-2018 Thana- KRITYANAND NAGAR District-
Purnia

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1. Manoj Sah, Son of Gyan Chandra Sah, Village- Mohabatganj, P.S-Chatapur (Rajeshwari), Distt.-Supaul.
 2. Dinesh Sardar, Son of Kuldeep Sardar Both are residence of village Mohabatganj, P.S- Chatapur(Rajeshwari), District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-01-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners are languishing in judicial custody since 07.08.2018 in connection with K.Nagar (Maranga) P.S. Case No. 147 of 2018 for offences punishable under Section 395 of Indian Penal Code.

The prosecution case as lodged by the informant is that 6-7 persons came in the night and committed robbery, they took away 30-40 thousand cash, gold and silver ornaments, assaulted the informant and his wife and hurled bomb while fleeing away.



It has been submitted by the learned counsel for the petitioners that they are innocent, not named in the FIR and their name surfaced on the confessional statement of co-accused Md. Mustkim who has already been granted the privilege of bail by a co-ordinate Bench of this Court in Cr. Misc. No. 67618 of 2018 dated 18.12.2018. He further submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioners.

However, learned APP for the State opposes the prayer for bail stating therein that petitioners do not have a clean antecedent and is involved in two more cases earlier.

Considering the facts and circumstances of the case and materials on record, let the petitioners above named be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnia in connection with K. Nagar (Maranga) P.S. Case No. 147 of 2018, subject to the conditions:-

(1) One of the bailors would be close relative of the petitioners having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioners.

(2) If the petitioners indulge in an offence of similar



nature in future, the prosecution will be at liberty to move the
learned Court below for cancellation of their bail bonds.

(Nilu Agrawal, J)

devendra/priyanka

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