

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5111 of 2019

Arising Out of PS. Case No.-9 Year-2018 Thana- BELA INDUSTRIAL District- Muzaffarpur

1. Anil Thakur and Anr Son of Jay Mangal Thakur Resident of Mohalla- Bela Imli Chowk, P.S.- Bela, District- Muzaffarpur, permanent resident of Bhailaipur, (Barahassan).
2. Sushila Devi Wife of Anil Thakur Resident of Mohalla- Bela Imli Chowk, P.S.- Bela, District- Muzaffarpur, permanent resident of Bhailaipur, (Barahassan).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh
For the Opposite Party/s : Mr.Ajay Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-03-2019 Heard the parties.

The petitioners seek anticipatory bail in connection with Bela P. S. Case No. 9 of 2018, G.R. No. 1392 of 2018, registered for offences punishable under Sections 457 and 380/34 of the Indian Penal Code.

As per F.I.R., allegation against the petitioners is that the informant has given the key of his house to the son of the petitioners for watching the house and thereafter they went to the village on account of death of grandfather of his wife on 20.02.2018 and thereafter, on 23.02.2018 he received information that theft has taken place and after inquiry from the son of the petitioners, he asked not to lodge the case and he would return all the articles.

Submission of the learned counsel for the petitioners



is that the allegations are false and concocted and from perusal of F.I.R., it transpires that no any allegations levelled against the petitioners nor any incriminating articles have been recovered from the possession of the petitioners and the petitioners have no criminal antecedents.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioners, above named, in the event of their arrest or surrender, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each in connection with Bela P.S.Case No. 09/2018, to the satisfaction of learned Sub Judge-XII-Cum- ACJM, Muzaffarpur, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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