

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9757 of 2019

Arising Out of PS. Case No.-574 Year-2018 Thana- LAKHISARAI District- Lakhisarai

1. Dhram Yadav, Son of Late Kapur Yadav, Resident of Naya Tola, Jurabganj, Kodha, P.S Kodha, District-Katihar
2. Sumit Kumar, s/o-Ram Singh, Resident of Naya Tola, Jurabganj, Kodha, P.S Kodha, District-Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-02-2019 Heard leaned counsel for the petitioners and learned
APP for the State.

The petitioners are languishing in custody since 21.09.2018 in a case registered for the offences punishable under Sections 379 and 457 of the Indian Penal Code.

The prosecution case is that the informant, Kundan Kumar Sharma was travelling on a motorcycle, having Rs. 4,00,000/- cash along with his brother-in-law, Chitranjan Kumar and other relative, Niraj Kumar. On the way, two unknown accused persons, traveling on a motorcycle, snatched



the bag from his relative, Niraj Kumar containing Rs.4,00,000/-, as a result, Niraj Kumar fell down from the motorcycle and received injuries, leading to registration of FIR against unknown. It is further alleged that the petitioners made their confession in Barahiya P.S. Case No.195 of 2018, wherein they confessed their involvement in the present case.

It is submitted by learned counsel for the petitioners that neither any recovery has been made from the conscious physical possession of the petitioners nor have the petitioners been put on T.I. parade till date.

Learned APP for the State submits that the petitioners himself confessed their guilt.

Considering the fact that the impugned order passed after going through the case diary, does not suggest that any recovery being made from the conscious physical possession of the petitioners and the fact that the petitioners not being put on T.I. parade, let the above named petitioners be released 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 learned **C.J.M., Lakhisarai** in connection with **Lakhisarai P.S. Case No.574 of 2018.**

Since the petitioners are involved in five other cases



of similar nature of accusation, the learned Court below would be at liberty to cancel the bail bonds of the petitioners, if the petitioners default for two consecutive occasions or get involved in similar nature of offence.

(Dinesh Kumar Singh, J)

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