

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8513 of 2019

Arising Out of PS. Case No.-176 Year-2018 Thana- SOHSARAI District- Nalanda

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1. SATISH KUMAR, aged about 22 years, (Male), son of Satrugan Singh Resident of village-Basati, Police Station-Harnaut, District-Nalanda
 2. Pramod Kumar, aged about 20 years, (M), son of Dikesh Prasad, Resident of village-Pourai, Police Station-Harnaut, District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr.Arun Kumar Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 14-03-2019 Heard learned counsel for petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail registered for the offences punishable under Sections 392 and 395 of the Indian Penal Code.

Informant has alleged in his fardbeyan that on 30.08.2018 he entered into Bhiharsharif city driving his truck in the night at 01:30 A.M., when he reached turning of Sohsarai one DCM vehicle over took his truck and stopped the truck of the informant. Three persons came out of the vehicle and they entered into the truck and started assaulting khalashi and pulled him down from the truck and they also tied hand and legs of the



informant and put him in the truck. It is further alleged that twenty ton plastic dana were loaded on the truck which was transported from Kolkata to Patna, the accused persons took the truck in their possession, and fled away along with plastic dana.

It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. They have been falsely implicated in this case. The petitioners are not named in the FIR. Petitioners are in custody since 06.01.2018.

Considering the nature of allegation and CDR of mobile location and criminal antecedent against petitioner, I am not inclined to grant bail to the petitioners. Accordingly the prayer for bail is rejected at this stage.

However, petitioners **after framing of charge** be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Sohsarai P.S. Case No. 176 of 2018, with conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and their absence on two



consecutive dates without sufficient reasons, their bail bond shall be cancelled by the court below.

(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

With the aforesaid liberty this criminal miscellaneous stands disposed of.

(S. Kumar, J)

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