

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13624 of 2019

Arising Out of PS. Case No.-12 Year-2017 Thana- BANDEYA District- Aurangabad

1. SHANKAR YADAV AND ANR Son of Late Laxmi Yadav Resident of Village- English, P.S.- Chandauti, District- Gaya.
2. Mithlesh Yadav @ Pahalwan @ Pahalwan Yadav @ Mithlesh Son of Late Ramdhani Yadav Resident of Village- Narayanpur, P.S.- Anti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kiran Sinha

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are in custody in connection with Bandiya P.S. Case No. 12 of 2017, registered for the offence punishable under Sections 341, 323, 353, 385, 427, 435, 504, 506/34 of the Indian Penal Code and Section 17 of the Criminal Law Amendment Act.

Learned counsel for the petitioners submits that because of criminal antecedent petitioners have been made accused in the instant case. Learned counsel for the petitioners submits that neither the petitioners named in the FIR nor they have been arrested at spot. Learned counsel for the petitioners



further submits that no incriminating article was recovered from the conscious possession of these petitioners. He further submits that petitioners were not put on T.I.P. Referring to the prosecution case, she submits that similarly circumstanced other co-accused have been granted bail.

Considering the fact that the name of the petitioners surfaced on the confessional statement of the co-accused and nothing was recovered from the possession of the petitioners to implicate them in the commission of crime, the Court is inclined to grant bail to the petitioners. Let the petitioners named above be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Aurangabad, in connection with Bandiya P.S. Case No. 12 of 2017.

(Anil Kumar Upadhyay, J)

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