

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15838 of 2019**

Arising Out of PS. Case No.-255 Year-2018 Thana- BARURAJ District- Muzaffarpur

1. INDARJIT RAM Son of Ram Lal Ram @ Lalu Ram.
2. Lalan Kumar @ Lalan Ram son of Nawal Ram, both Resident of Village- Mauna Banglapur, Police Station- Baruraj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahesh Prasad

For the Opposite Party/s : Mr.Upendra Kumar

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER**

2 25-03-2019 Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the State.

Petitioners are languishing in judicial custody since 18.10.2018 in connection with Baruraj P.S. Case No. 255 of 2018 for offences punishable under Sections 379, 411, 414/34 of the Indian Penal Code.

The prosecution case as lodged by the informant is that while he had parked his motorcycle in front of his house in the night, it was stolen. In the night while searching his motorcycle, he found three persons driving his motorcycle, one managed to flee away and the petitioners were apprehended along with the stolen motorcycle and a master key, who had also



confessed of their involvement before the police.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal antecedent and have been falsely implicated in the aforesaid case. He submits that they have been sufficiently punished and are languishing in judicial custody for more than five months. They undertake to cooperate in the trial and appear as and when required.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and materials on record as well as the nature of allegations, 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 Judicial Magistrate, 1st Class, Muzaffarpur (west) in connection with Baruraj P.S. Case No. 255 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) The petitioners will appear before the learned Court below during trial as and when required and failure to



appear on two consecutive dates without assigning any reason
will entail cancellation of their bail bonds.

(Nilu Agrawal, J)

devendra/priyanka

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