

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15372 of 2019

Arising Out of PS. Case No.-340 Year-2018 Thana- CHAUSA District- Madhepura

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1. Raju Kumar, S/o Janardhan Yadav @ Janardan Yadav Resident of Village- Dhuriya, P.S.- Chousa, District- Madhepura.
 2. Md. Istak, Son of Md. Sahim Resident of Village- Kalasan Kujar Toli, P.S.- Chousa, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-03-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioners are languishing in custody since 29.12.2018 in connection with Chousa P.S. Case No.340 of 2018 registered for the offences punishable under Sections 379, 411, 34 of the Indian Penal Code.

Prosecution case as per the written report of Bipin Mehta submitted to Chousa P.S. is to the effect that on 27.12.2018 the buffalo of the informant was stolen. During search, he came to know that a buffalo of one Md. Razak has also been stolen. When the informant was searching for his buffalo, on the way, the informant found that the police of Pothiya Outpost has intercepted a pickup van carrying the stolen buffaloes and are enquiring the petitioners and a



co-accused person and recovered both buffloes which were taken away by the petitioners.

It is submitted by learned counsel for the petitioners that the petitioners were simply passenger in the vehicle in question and they had no knowledge of buffaloes being kept in the said pick up van.

It is further submitted that petitioner no.1 is accused in one more case apart from the present case in which he is on bail and the petitioner no.2 is not having any criminal antecedent.

Learned A.P.P. has vehemently opposed the prayer for bail and submits that recovery of buffalo were made from the pick up van in which the petitioners were found travelling.

Considering the nature of accusation and the period of custody and the fact that the stolen buffaloes were not recovered from the possession of the petitioners, let the above named petitioners be enlarged on bail on furnishing bail bond of Rs.10000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Udakishunganj, District-Madhepura in connection with Chousa P.S. Case No.340 of 2018.

(Dinesh Kumar Singh, J)

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