

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19172 of 2019

Arising Out of P.S. Case No.-727 Year-2018 Thana- BANKA District- Banka *

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1. BUDHAN YADAV @ VIDHAN YADAV, Male, aged about 22 years, Son of Shaligram Yadav resident of village-Chakkadih, P.S-Banka, District-Banka.
 2. Rahul Kumar, Male, aged about 21 years, Son of Janardhan Yadav, resident of village-Chakkadih, P.S-Banka, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 01-04-2019 Heard the learned counsel for the petitioners and
learned counsel appearing on behalf of the State.

Petitioners seek bail in connection with Banka
P.S.Case No.727 of 2018 for the offence alleged under Sections
401 and 414 of the Indian Penal Code.

The prosecution case as lodged by the police
personnel is that the petitioners along with two others were
apprehended with two motorcycles. Accordingly, a seizure list
was prepared.

It has been submitted by the learned counsel for the
petitioners that they are innocent, bear no criminal antecedent
and are languishing in judicial custody since 01.11.2018. He



submits that one of the co-accused apprehended along with the petitioners has been granted the privilege of bail by a coordinate Bench of this Court in Cr.Misc.No.17482 of 2019 vide order dated 27.03.2019. He further submits that chargesheet has already been submitted, there being no allegation of tampering with the prosecution evidence.

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

Considering the nature of allegations, period of custody and that the petitioners do not bear any criminal antecedent as stated in para-3 of the present application, let the petitioners, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Banka P.S.Case No.727 of 2018 to the satisfaction of learned Chief Judicial Magistrate, Banka, subject to the condition that one of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating their relationship with the petitioners.

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(Nilu Agrawal, J)

