

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22142 of 2019

Arising Out of PS. Case No.-135 Year-2018 Thana- SIMRI District- Darbhanga

1. RAVI KUMAR, Son of Mahesh Mahto Resident of Village - Hanuman Nagar Pirauchha, P.S.- Benibad, Distt.- Muzaffarpur.
2. Pappu Kumar, Son of Jai Mangal Mahto, Resident of Village - Ghoraha, P.s.- Bochaha, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Jha
For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-04-2019 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Simri Police Station Case No. 135 of 2018, disclosing offences under Section 392 of the Indian Penal Code.

It is alleged that the informant was intercepted by three persons in a motorcycle and had snatched his mobile phone. Allegedly two of them managed to escape; whereas the third person was caught by the informant himself and other persons who had gathered there, who handed over the said person to the Police. The said co-accused Dhiraj Kumar is said to have disclosed names of two other persons including the



petitioner, who were his accomplices.

Learned Counsel appearing on behalf of the petitioners has submitted that said Dhiraj Kumar has been granted regular bail, who was apprehended not by the Police, but by the informant himself and other persons, who are said to have gathered after the occurrence. He submits that the case of the prosecution cannot be relied on in the manner the same has been instituted.

Be that as it may, since co-accused Dhiraj Kumar has been allowed regular bail by the Court, on whose statement, name of the petitioner has surfaced, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with Simri Police Station Case No. 135 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their



part to appear before the Court on two consecutive occasions,
their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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