

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30606 of 2019

Arising Out of PS. Case No.-41 Year-2016 Thana- RAUTA District- Purnia

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1. RAJ KUMAR MALAKAR Son of Late Sahdev Malakar Resident of Village - Kathaura, P.S.- Palasi, Dist.- Araria.
 2. Ranjeet Malakar Son of Sahdev Malakar Resident of Village - Kathaura, P.S.- Palasi, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-05-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Rauta P.S. Case No. 41 of 2016, disclosing the offence punishable under Section 379 of the Indian Penal Code.

It is alleged that petitioners had stolen the informant's mobile phone. The petitioners have been described in the FIR as riders in a motorcycle bearing registration no. BR37E 3833, who were subsequently identified by the informant, per chance.

Learned counsel for the petitioners has submitted that similarly circumstanced co-accused Nandan Kumar has been allowed anticipatory bail by this Court under order dated 14.02.2019, passed in Cr. Misc. No. 300 of 2019. It also appears



that the suspicion of the informant is the basis for implication of the petitioners.

Considering the facts and circumstances, this application is allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the court below, 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 the learned A.C.J.M. 2nd, Purnea, in connection with Rouda P.S. Case No. 41 of 2016 subject to the condition as 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)

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