

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32155 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- NAUGACHIA District- Bhagalpur

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1. Sudama Yadav @ Santosh Yadav, aged 34 years, Male, Son of Ram Lal Yadav, Resident of Naya Tola, Jurabganj, P.S.- Kordha, District- Katihar.
 2. Krishna Yadav, aged 35 years, Male, Son of Late Vishal Yadav, Resident of Naya Tola, Jurabganj, P.S.- Kordha, District- Katihar.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Uma Shankar Prasad Singh, Advocate.
For the Opposite Party : Mrs.Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 11-07-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are languishing in custody since 20.03.2019 in a case for the offence registered under Sections 401, 414, 467, 468 and 471 of the IPC.

The prosecution story, in brief, is that the informant who is S.H.O. of Naugachia Police Station on getting information that some persons assembled near the Main Branch of S.B.I., Naugachia, are planning to commit crime. On this information, the informant and other police personnels proceeded to the S.B.I., Main Branch, Naugachia. Seeing the police personnels, the miscreants tried to flee away from there. But, on chase two persons were caught by the police who disclosed their names as Sudama Yadav @ Santosh Yadav and Krishna Yadav(petitioners)). Two Mobiles and one Master Iron



Key and one white-black colour Motorcycle were recovered from their physical searching.

It has been submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners had no knowledge that the Motorcycle in question is stolen property. Hence, they have been made accused in the present case due to mistake of fact.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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.-Ist, Naugachia, Bhagalpur, in connection with Naugachia P.S. Case No. 98 of 2019.

(Sudhir Singh, J)

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