

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37701 of 2019

Arising Out of PS. Case No.-413 Year-2019 Thana- BIHTA District- Patna

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1. SONU KUMAR Son of Ganesh Prasad
 2. Sunny Kumar Son of Sanjay Kumar @ Sanju Mahto
Both Resident of Village - Kanhauli, P.S.- Bihta, Distt - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kishor
For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-06-2019 Heard learned counsel for the petitioners and the

State.

The petitioners seek bail in **Bihta P.S. Case No. 413 of 2019**, instituted for the offence under Section (s) 457, 380 and 511/34 of the Indian Penal Code.

Counsel for the petitioners submits that petitioners are students. They have been falsely implicated in the instant case. They have no criminal antecedent.

It is alleged in the written report that on the date of occurrence while the informant along with his family members after taking meal went to sleep, they heard sound of breaking lock of the gate. The informant and his family members woke up and saw some persons going on the roof of his house with



the help of ladder. It is further alleged that informant raised *hulla* then petitioner and other accused persons as named in the written report were caught hold by the villagers. They confessed that they had come to commit theft. The informant identified the petitioners in the light of bulb.

From the written report it appears that petitioners were caught hold on the spot, but there is no recovery of any incriminating article from their possession.

Petitioners are in custody since 27.4.2019 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioners for grant of bail is allowed. Let the petitioners above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate, 1st Class, Danapur, Patna**, in connection with **Bihta P.S. Case No. 413 of 2019**, subject to the condition that both the bailors will be the close relatives of the petitioners.

(Sanjay Priya, J)

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