

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38966 of 2019

Arising Out of PS. Case No.-163 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

1. PRADEEP KUMAR Son of Badri Prasad Resident of Village - Jaso Road, Buxar, P.S.- Muffasil Buxar, Dist.- Buxar.
2. Shiojee Prasad Son of Ganesh Sah Resident of Village - Jaso Road, Buxar, P.S.- Muffasil Buxar, Dist.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-06-2019 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners seek bail in a case instituted for the offences under Section 379 of the Indian Penal Code in which Section 411 IPC was added later on.

Prosecution case, in short, is that truck of the informant was stolen by the accused persons while it was loaded with rice at Bazar Samiti.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 18.4.2019. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the



petitioners. The petitioners have falsely been implicated in the present case. The petitioners are not named in the F.I.R. The names of the petitioners have transpired on the basis of confession of co-accused. There is no recovery of any stolen article from the possession of the petitioners.

On behalf of the State, it is submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 163 of 2019.

(Sudhir Singh, J)

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