

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68156 of 2018

Arising Out of PS. Case No.-95 Year-2018 Thana- NOKHA District- Rohtas

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1. Ajay Seth @ Ajay Kumar and Anr
 2. Vijay Seth@ Vijay Kumar Both S/o Surajdeo Seth@ Suryadev Prasad
resident of Mohalla- Sarboday Nagar, P.S. Nokha, District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Respondent/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Section 379 of the Indian Penal Code.

The prosecution case, in brief, is that from the puncture
shop of co-accused, Kalim Ahmad, six tyres of trucks were
recovered.

It has been submitted on behalf of the petitioners that there
is no allegation of tampering of witnesses alleged against the
petitioners. The petitioners have been made accused in this case
due to mistake of fact. The case is triable by the Magistrate. The
name of the petitioners has come in this case on the basis of
confessional statement of co-accused. Except for this, there is



no other substantive evidence to suggest the implication of the petitioners in the present case.

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, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory 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 Additional Chief Judicial Magistrate, Sasaram in connection with Nokha P.S. Case No. 95 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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