

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54621 of 2019

Arising Out of PS. Case No.-134 Year-2019 Thana- DESARI District- Vaishali

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1. AJAY RAI Son of late Ram Saran Rai Resident of Village - Bhikhanpura, P.S.- Desari, Distt - Vaishali.
 2. Sher Bahadur Rai Son of late Ram Saran Rai Resident of Village - Bhikhanpura, P.S.- Desari, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-08-2019 Petitioners seek bail in anticipation of their arrest in connection with Desari P.S. Case No. 134 of 2019, registered for the offences punishable under Sections 414/34 for the Indian Penal Code.

Allegation is of recovery of motorcycle was recovered from the Dallan of the petitioners.

Submission of the learned counsel for the petitioners is that nothing has been recovered from his house furthermore there is nothing available on record to show that recovered motorcycle was stolen one. Petitioner No.2 is aged about 71 years. They have no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer of



bail on the ground of recovery made from the Dallah of the petitioner.

Having heard both sides. So far as petitioner no.1 is concerned, in view of the allegation, I am not inclined to grant privilege of anticipatory bail to him, however, he is directed to surrender before the learned Court below and make prayer for regular bail and Court below will consider the matter on its own merit without being prejudiced by order of this court and if possibly be disposed of at the same day.

So far as petitioner No.2 is concerned, considering the fact that he is an old one, let the petitioner No.2 above named, in the event of her arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned A.C.J.M.-II Vaishali at Haipur, in connection with Desari P.S. Case No. 134 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the Court concerned.

With the aforesaid condition this application stands



disposed of.

(Vinod Kumar Sinha, J)

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