

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67848 of 2019

Arising Out of PS. Case No.-374 Year-2018 Thana- MASHRAK District- Saran

1. Haider Ali @ Haider, aged about 24 years (Male), Son of Md. Raja Miyan, Resident of Village - Chandkudaria, P.S.- Mashrak, District- Saran at Chapra.
2. Azmuddin, aged about 26 years (Male), Son of Md. Raja Miyan, Resident of Village - Chandkudaria, P.S.- Mashrak, District- Saran at Chapra.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Vijay Kumar, Advocate.
For the Opposite Party	:	Mr.Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-10-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek bail in a case for the offence registered under Section 379 of the IPC.

The prosecution story, in brief, is that there is allegation against the petitioners of committing theft of the Bolero vehicle of the informant from his Garage in the night of 05.11.2018 around 11.15 P.M. The villagers chased and identified the accused persons.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 19.07.2019. 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 are said to have been identified by the co-villagers. Except for this, there is no substantive evidence to suggest the implication of the petitioners in the present case. The name of co-villagers who claim to have identified the petitioners, has not been disclosed by the prosecution. There is no recovery of any incriminating article from possession of the petitioners.

On behalf of the State, it is 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. VI, Saran at Chapra, in connection with Mashrak P.S. Case No. 374 of 2018.

(Sudhir Singh, J)

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