

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69691 of 2019

Arising Out of PS. Case No.-170 Year-2019 Thana- DUMARIAGHAT District- East
Champaran

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1. Lal Babu Sah @ Lal Babu Kumar, Son of Naga Sah, Resident of Village - Rampur Khajuriya Tola Rampurwa, P.S.- Dumariyaghat, District - East Champaran
 2. Chandan Sah, Son of Naga Sah, Resident of Village - Rampur Khajuriya Tola Rampurwa, P.S.- Dumariyaghat, District - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-11-2019 Heard learned counsel for the parties and perused the case diary.

Petitioners apprehend their arrest in a case registered for the offence punishable under sections 414/34 of the Indian Penal Code.

As per the prosecution case, one pick up van was found standing on NH-28 near Khajuriya Hanuman Temple, it is further alleged that on seeing police party 4-5 persons who were standing near the pick up van fled away after leaving the vehicle. In the presence of witness, informant search the vehicle, and found four iron windows and three iron gates grill in the vehicle, the same was seized. Later on, the informant seized the



vehicle and came to know that the vehicle belongs to these petitioners and it is further alleged that these petitioners and two other accused persons committed theft with his vehicle.

Learned counsel for the petitioners submits that the petitioner no.1 is the owner of the vehicle and the aforesaid gate grill and window was being transported by the vehicle which was hired by co-accused Sonu Ansari. The alleged vehicle was also in possession of co-accused Sonu Ansari who has also submitted cash memo to show that the same was hired for transporting. It is further submitted that these petitioners are full brother having clean antecedents.

Learned counsel for the State opposes the prayer for bail.

In the aforesaid facts and circumstances of the case, let the above named petitioners be released on bail in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, 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 1st A.C.J.M., East Champaran, Motihari, in Dumariyaghat Police Station Case No. 170 of 2019, on the following conditions:-



(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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