

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73371 of 2019

Arising Out of PS. Case No.-148 Year-2019 Thana- KATORIYA District- Banka

1. Gautam Kumar @ Gotam Kumar, aged about 25 years, (Male), Son of Nuyap Yadav, Resident of Village- Rampur, P.S.- Katoria, District- Banka.
2. Dabloo Yadav @ Babloo Yadav @ Dabloo, aged about 25 years, Son of Kunchan Yadav, Resident of Village- Garhbaran, Katoria, District- Banka.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Brij Nandad Prasad, Advocate.
For the Opposite Party : Mrs.Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-11-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek bail in a case for the offence registered under Sections 379 and 411 of the IPC.

The prosecution story, in brief, is that on 09.08.2019 at about 7.30 A.M. accused persons took away the Mobile of the informant and cash from counter box from the shop of the informant.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 11.08.2019 and 30.08.2019 respectively. The petitioners have got no criminal antecedent. 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 petitioner no. 1 is not named in the F.I.R. Recovery is said to have been made from co-accused Bhavesh Yadav. There is no recovery of stolen property from possession of petitioners. The case is triable by the Magistrate.

On behalf of the State, it is submitted that the petitioners do not deserve bail.

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 J.M. Ist Class, Banka, in connection with Katoriya P.S. Case No. 148 of 2019.

(Sudhir Singh, J)

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