

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76151 of 2019

Arising Out of PS. Case No.-133 Year-2019 Thana- KUTUMBA District- Aurangabad

1. RANDHIR KUMAR Son of Shambhu Yadav Resident of Village - Neura, P.S.- Kutumba, District- Aurangabad.
2. Shambhu Yadav Son of Late Jaymurat Yadav Resident of Village - Neura, P.S.- Kutumba, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Kutumba P.S. Case No. 133 of 2019 registered for the offence punishable under Sections 420, 467, 468, 471, 414, 34 of the Indian Penal Code.

FIR has been lodged on the basis of written complaint of the informant who is Assistant Sub-Inspector of police. As per the allegation, while the informant was on duty checking vehicles, the police party traced Hero Honda motorcycle without registration number and when the documents regarding ownership of the motorcycle was checked



it was found that the documents were forged one. The police seized the vehicle and took the petitioners into custody.

It has been submitted on behalf of petitioners that petitioners are innocent and have been falsely implicated in this case. Both the petitioners are son and father. As a matter of fact, petitioners had purchased 2nd hand motorcycle from one Kanchan Kumar who also prepared documents in the name of petitioner No. 1 by the D.T.O. office which were found forged. Petitioners are uneducated rustic persons and forgery has been committed upon them by Kanchan Kumar. Petitioners have no criminal antecedent and they are in custody since 30.08.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned court below, in connection with Kutumba P.S. Case No. 133 of 2019 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bonds.



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

(S. Kumar, J)

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