

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2831 of 2020

Arising Out of PS. Case No.-133 Year-2017 Thana- FATUA District- Patna

1. Dinanath Kumar Son of Shyam Nandan Singh Resident of Village - Chak Pitambarpur, P.S.- Fatuha, District - Patna
2. Ashok Kumar @ Ashok Prasad Son of Shyam Nandan Singh Resident of Village - Chak Pitambarpur, P.S.- Fatuha, District - Patna
3. Umesh Kumar @ Dharmendra Kumar Son of Shyam Nandan Singh Resident of Village - Chak Pitambarpur, P.S.- Fatuha, District - Patna
4. Anil Kumar Son of Late Birendra Prasad Resident of Village - Chak Pitambarpur, P.S.- Fatuha, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-02-2020 Heard learned counsel for the parties.

The petitioners apprehend their arrest in Fatuha P.S.

Case No. 133 of 2017 registered for the offence under Sections
379, 411 of the Indian Penal Code.

The allegation against the petitioners is that they
have stolen eight bundles of wheat from the field of informant.

It is submitted on behalf of petitioners that
petitioners have falsely been implicated in this case. It is further
submitted that earlier also, informant had filed two cases against
the petitioners, in which, they are on bail. The informant is in
the habit of filing fake cases with a view to harass these
petitioners. No stolen property has been recovered from them.



Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of their arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged 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 learned A.C.J.M.-V, Patna City in connection with Fatuha P.S. Case No. 133 of 2017 on the following conditions:

“(1) Petitioners shall cooperate 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 on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J.)

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