

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22786 of 2020

Arising Out of PS. Case No.-5 Year-2020 Thana- JHANJHARPUR District- Madhubani

1. SANJAY KUMAR YADAV @ SAGAR YADAV Son of Singheswar Yadav
Resident of Village- Bodai
2. Lalit Kumar Batar Son of Bindeswar Batar Resident of Village- Dashau
Amarupi both of P.S.- Lakhnaur, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 16-09-2020

Heard learned counsel for the parties.

Petitioners seek bail in a case registered for the offence punishable under Sections 379/411 of the Indian Penal Code.

According to prosecution case, petitioners have been arrested from the spot, loading on their pick-up van about 2500 meter “Dog Conductor” of electricity Department.

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case. It has further been submitted that petitioner no.1 is driver and petitioner no.2 is khalasi of the aforesaid vehicle and petitioners



used to hire the aforesaid vehicle to the person on demand. It is further submitted that petitioners have been cheated by some of the accused persons as they told that they are staffs of the contractor and transportation of electric wire was urgently needed, hence, petitioners with their help loaded about 2500 meter electric wire in the pick-up van and as such, petitioners have no concern with the theft of electric wire. Petitioners have no criminal antecedent and they are in custody since 12.01.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Jhanjharpur P.S. Case No. 5/2020 (G.R. No.47/2020) with following conditions:-

(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 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.

(3) If the petitioners tamper 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)

Sanjay/-

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