

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85909 of 2019

Arising Out of PS. Case No.-482 Year-2019 Thana- SITAMARHI District- Sitamarhi

1. Karan Nut, Son of Amardeep Nut,
2. Rajiv Nut, Son of Suresh Nut,
Both are Resident of Village - Chitkohra, P.S.- Sachiwalay, Distt - Patna.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Sitamarhi P.S. Case No. 482 of 2019 registered for the offences punishable under Sections 399, 402 and 414 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case merely on suspicion. The petitioners are in custody since 01.09.2019 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case



wherein it is the submission of learned counsel for the petitioners that save and except mere suspicion there is no material against the petitioners to allege that the petitioners were moving in the Scorpio in question with an intention to commit offence with passerby and/or to commit theft of animals, moreover the vehicle in question is owned by genuine person and there is no allegation of theft of said Scorpio, the petitioners are in custody since 01.09.2019 and have got no criminal antecedent, in that view of the matter, let the petitioners above named be released on bail in connection with Sitamarhi P.S. Case No. 482 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person



acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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