

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13182 of 2021

Arising Out of PS. Case No.-208 Year-2020 Thana- PANDAUL District- Madhubani

1. Manish Kumar, Son of Sri Kedar Yadav Bahjara @ Kedhar Nath Banjara, Resident of Village - Naya Tola, Jurabganj, P.S.- Korha, District - Katihar at present residing at village - Rautara, P.S.- Rautara, District - Katihar.
2. Vishnu Kumar Yadav, Son of Sri Lohare Yadav, Resident of Village - Naya Tola, Jurabganj, P.S.- Korha, District - Katihar at present residing at village - Rautara, P.S.- Rautara, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate
For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 24-08-2021 The matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in connection with CRI No.1711 of 2020 arising out of Pandaul P.S. Case No.208 of 2020 instituted for the offence punishable under Sections 379 and 356 of the Indian Penal Code.



Thirty thousand rupees has allegedly been looted, leading to lodging of the instant case.

Counsel for the petitioners submits that F.I.R. is of 23.08.2020 in relation to an alleged occurrence of 18.08.2020. The petitioners have been in custody for more than one year i.e., since 25.08.2020. They have not been put on T.I. Parade, though the informant would be in a position to identify the accused persons having regard to the nature of allegations. As against the alleged looted amount of Rs.30,000/-, there is recovery of Rs.15,000/- from petitioner No.1, Rs.30,000/- from Petitioner No.2 and Rs.38,000/- from a third accused. Petitioners are stated to be cloth merchants and it is submitted that the petitioners have been made accused in one more case, namely, Madhepur P.S. Case No.113 of 2020, that is the FIR against unknown person.

Learned APP for the State has opposed the prayer for bail and submitted that there is recovery of money from the instant petitioners.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail of the petitioners is



allowed.

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 court of learned Chief Judicial Magistrate, Madhubani, in connection with CRI No.1711 of 2020 arising out of Pandaul P.S. Case No.208 of 2020, subject to the following conditions:

(i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks



from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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