

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24488 of 2021

Arising Out of PS. Case No.-130 Year-2020 Thana- DAWATH District- Rohtas

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1. BANSHI KUMAR Son of Late Bhushan Yadav Resident of Village - Naya Tola, Jurabganj, P.s.- Korha, Distt.- Katihar at Present residing at House of Jai Prakash Singh Son of Rameshwar Singh, Village - Semari Colony Maliyabagh, P.S.- Dawath, Dist.- Rohtash at Sasaram.
 2. JITENDRA KUMAR YADAV Son of late Basant Yadav Resident of Village - Naya Tola, Jurabganj, P.s.- Korha, Distt.- Katihar at Present residing at House of Jai Prakash Singh Son of Rameshwar Singh, Village - Semari Colony Maliyabagh, P.S.- Dawath, Dist.- Rohtash at Sasaram.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-11-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Dawath P.S. Case No. 130 of 2020 registered for the offences punishable under Sections 379, 402, 414 of the Indian Penal Code.

There is allegation of recovery of mobile phones from possession of the petitioners. Further allegation is recovery of motorcycle from the premises in which petitioners reside on



rent.

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence and they have falsely been implicated in the present case. Nothing incriminating article has been recovered from possession of the petitioners. Only mobile phones have been recovered from possession of the petitioners and the same belongs to the petitioners. Charge sheet against the petitioners have already submitted. Petitioners have clean antecedent and are in custody since 09.09.2020.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bikramganj (Rohtas) in connection with Dawath P.S. Case No. 130 of 2020, subject to the following conditions:-

1. 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 on their absence on two consecutive dates without sufficient reason, their bail bond 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.

(Rajesh Kumar Verma, J)

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