

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16442 of 2020

Arising Out of PS. Case No.-151 Year-2019 Thana- MIRGANJ District- Gopalganj

1. NITESH KUMAR YADAV @ BABA YADAV @ NITISH KUMAR YADAV @BABU YADAV Son of Sriram Chaudhary Resident of Village - Harkhauli Purab Tola, Police Station - Mirganj, District - Gopalganj.
2. Santosh Chauhan @ Bhola @ Bhola Ji Son of Bhagrashan Chauhan Resident of Village - Harkhauli Purab Tola, Police Station - Mirganj, District - Gopalganj.
3. Bhanu Kumar Yadav Son of Jyotish Lal @ Jyotish Lal Yadav Resident of Village - Harkhauli Purab Tola, Police Station - Mirganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad
For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 27-10-2021 Heard the learned counsel for the petitioners and

learned APP for the State.

The petitioners apprehend their arrest for the offences alleged under Section 414/34 of the Indian Penal Code, registered in connection with Mirganj P.S.Case No.151 of 2019.

As per the allegation, the police party got a confidential information that some persons were indulged in loading of iron rods on a pick-up van by committing theft. One gas cutter pipe was also recovered from the pick-up van.



Learned counsel for the petitioners has submitted that co-accused person Rakesh Yadav has been granted anticipatory bail by a coordinate bench of this Court, vide Cr. Misc. No. 18958 of 2020. Other co-accused persons Pappu Kumar and Lal Mohan @ Mohan Kumar @ Lal Mohan Kumar have also been granted anticipatory bail by a coordinate bench of this Court, vide Cr. Misc. No. 69361 of 2019. The case of the petitioners is on similar footing.

Considering the fact that other co-accused persons have been granted anticipatory bail by coordinate benches of this Court, on parity, the petitioners above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, shall also be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of learned A.C.J.M.-XVI, Gopalganj in connection with Mirganj P.S.Case No.151 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. i.e.

(i) a condition that the persons shall make themselves available for interrogation by a police officer as and when required;

(ii) a condition that the persons shall not, directly or



indirectly, make any inducement, thereat 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;

(iii) a condition that the persons shall not leave India without the previous permission of the Court.

(Nawneet Kumar Pandey, J)

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