

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5979 of 2021

Arising Out of PS. Case No.-453 Year-2019 Thana- MAHUA District- Vaishali

1. AWADHESH SAH S/o Baidya Nath Sah, Resident of Village-Chand Sarai, Police Station-Mahua in the district of Vaishali.
2. Dinesh Sah S/o Baidya Nath Sah, Resident of Village-Chand Sarai, Police Station-Mahua in the district of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 15-12-2021 At the very outset, the learned counsel for the petitioners has submitted that the petitioner no. 1 has been arrested.

As such, this application with respect to petitioner no.1 is dismissed as withdrawn.

The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

So far as petitioner no. 2 is concerned, he apprehends his arrest in connection with Mahua P.S. Case No. 453 of 2019 registered for the offence punishable under sections 461 and 379 of the Indian Penal Code.

As per allegation, the petitioners have committed theft of some articles from the Uchcha Vidyalaya, Chand Sarai, Mahua, which is adjacent to the house of the petitioners.



The learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case since the son of the informant was a candidate of Mukhiya and the petitioners were his opponent, it was the reason for their false implication. He has also submitted that the petitioners are the persons of clean antecedent.

Considering the facts and circumstance of the case, the petitioner no. 2, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 453 of 2019, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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