

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31740 of 2020

Arising Out of PS Case No.-422 Year-2020 Thana- NAWADA District- Nawada

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1. Ajit Yadav @ Ajit Kumar @ Rajeev Rai, Male aged about 26 years, Son of Umesh Yadav.
 2. Bipin Kumar @ Kamlesh Kumar, Male, aged about 25 years, Son of Isho Yadav.
Both resident of Village- Gondapur, Police Station- Nawada Town, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Birendra Kumar, Advocate
For the State	:	Mr. Nagendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 22-02-2021

Heard Mr. Birendra Kumar, learned counsel for the petitioners and Mr. Nagendra Kumar Singh, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioners apprehend arrest in connection with Nawada (Town) PS Case No. 422 of 2020 dated 10.03.2020, instituted under Sections 457/380 of the Indian Penal Code.

3. Though the petitioners are not named in the FIR, but the allegation is that from the godown of the informant, many electronic items including TV sets were stolen.



4. Learned counsel for the petitioners submitted that besides having no criminal antecedent, they have been named by co-accused from whom there has also been recovery, but from the house of the petitioners, no recovery has been made.

5. Learned APP submitted that the co-accused has named the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in Nawada (Town) PS Case No. 422 of 2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further, (i) that one of the bailors shall be a close relative of the petitioners, (ii) that the petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners, and (iii) that the petitioners shall also give an undertaking to the Court that they shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms



and conditions of the bonds or the undertaking shall lead to cancellation of their bail bonds. The petitioners shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of their bail bonds.

7. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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