

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2870 of 2021

Arising Out of PS. Case No.-187 Year-2020 Thana- RAMKRISHNANAGAR District- Patna

1. AKASH KUMAR Son of Mangal Bhagat Resident of Madhopur Diara, Danapur, P.S.-Shahpur, District-Patna.
2. Mahesh Kumar Son of Umesh Kumar Resident of Mohalla-Dalip Chak Diara, P.S.-Maner, District-Patna at present residing at Gopalpur, Danapur, District-Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dheeraj Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-03-2021 Heard both parties.

The petitioners seek bail in Ram Krishna Nagar P.S. Case No. 187 of 2020, registered for the offence punishable under Sections 457, 380 of the Indian Penal Code.

As per the prosecution case, on 22.06.2020 at 11.00 pm in the night while the informant along with family members were sleeping, theft was committed in his house by some unknown miscreants and household articles, jewellery and cash were stolen.

It is submitted on behalf of the petitioners that petitioners are not named in the FIR. During course of investigation, name of these petitioners has come in this case.



No stolen article has been recovered from possession of the petitioners. Till date petitioners have not been put on Test Identification Parade. Petitioners are in custody since 02.07.2020 having no criminal antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

Considering the facts and circumstances of the case and the fact that no stolen article has been recovered from possession of the petitioners coupled with the fact that petitioners bear clean antecedent, the petitioners above-named, are directed to be enlarged 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 the learned Additional Chief Judicial Magistrate XIII, Patna in connection with Ram Krishna Nagar P.S. Case No. 187 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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