

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57852 of 2021

Arising Out of PS. Case No.-38 Year-2021 Thana- DUMRAO District- Buxar

1. Bhulan Dom, S/o Rajesh Dom, Resident of Village- Chhatiyar Pokhara, P.S.- Dumraon, District- Buxar.
2. Manoj Dom @ Langra Dom, S/o Sahu Dom @ Ashok Dom, Resident of Village- Bhawarkal, P.S.- Bhawarkal, District- Gajipur at present Resident of Village- Chhatiyar Pokhara, P.S.- Dumraon, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Gupta, Advocate
For the Opposite Party/s	:	Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 06-04-2022 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek regular bail, who are in custody in connection with Dumraon P.S. Case No. 38 of 2021 for the offences punishable under Sections 461 and 379 of the Indian Penal Code.

As per prosecution case, it is alleged that the informant, who happens to be owner of T.V.S. Bike Agency came to his agency and saw that the lock of the gate was broken



with Iron rod and the articles in his chambers were in scattered condition and Rs.5,00,000/- (Five lakh) were stolen after breaking the locker. It is also alleged that other valuables and cash were also stolen by some unknown persons.

It is submitted on behalf of learned counsel for the petitioners that the F.I.R. has been instituted against unknown miscreants and the name of the petitioners have come on the confessional statement of the co-accused. It is further submitted that nothing incriminating has been recovered from the person or possession of these petitioners and the petitioners are in custody since 02.06.2021.

On the other hand, learned APP for the State has pointed out towards the criminal antecedent of the petitioners that both the petitioners are involved in five other cases.

It is submitted on behalf of the petitioner that all the aforesaid cases were lodged against unknown persons and the petitioners were remanded in these cases from Buxar (Muffasil) P.S. case no. 153 of 2021.

Having considered the submissions made on behalf of the parties and taking into consideration the materials that the petitioners are not named in the F.I.R. and nothing has been recovered from the possession of these petitioners and they are



in custody since 02.06.2021, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in connection with Dumraon P.S. Case No. 38 of 2021 with the following conditions:

(a) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and in case of their absence on two consecutive dates without any cogent reason, their bail bond shall be cancelled by the Court below.

(b) If the petitioners tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Harish Kumar, J)

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