

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59631 of 2021

Arising Out of PS. Case No.-48 Year-2021 Thana- MAHKAR District- Gaya

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1. Rahul Malakar Son Of Late Mahendra Malakar Resident Of Village - Saraiya, P.S.- Muffasil, Distt.- Gaya.
 2. Surendra Malakar Rambali Malakar Resident Of Village - Saraiya, P.S.- Muffasil, Distt.- Gaya.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Vinod Kumar, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-02-2022 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under section 379 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, while the informant's pick up van was on way to Biharsharif from Gaya, petitioners and other accused persons took away informant's vehicle and got unloaded 3150 kilograms oil worth Rs.1 lakh and after unloading the same they fled away with the vehicle.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. No incriminating material has been recovered from the



conscious possession of the petitioners rather Oil loaded on the vehicle has been recovered from the Aanganbari center, Saraiya. They have not been arrested on the spot. Petitioners claim clean antecedent and they are in custody since 15.7.2021.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let all the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Gaya in Mahakar Police Station Case No. 48 of 2021.

(Prabhat Kumar Singh, J)

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