

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34525 of 2023

Arising Out of PS. Case No.-663 Year-2022 Thana- RAHUI District- Nalanda

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1. ASHUTOSH KUMAR s/o ARUN PRASAD Resident of Village- Milki Par, Post- Mortalab, P.S. Rahui, District- Nalanda
 2. Nitish Kumar S/o Doman Yadav Resident of Village- Milki Par, Post. Mortalab, P.S. Rahui, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Prasad Yadav, Adv.

For the Opposite Party/s : Mr.Ramchandra Sahni, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 457, 380, 511 of the Indian Penal Code.

3. Allegedly, petitioners are said to have tried to commit theft of a television from the house of the informant.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Both the parties are co-villagers and agnates. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Nothing has been recovered from the house of the petitioners. Petitioner no.1 has two criminal antecedents, whereas petitioner no.2 has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as nothing has been recovered from the house of the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Rahui/Bhagan Bigha P.S. Case No. 663 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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