

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53629 of 2023

Arising Out of PS. Case No.-257 Year-2023 Thana- NARHATT District- Nawada

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1. DEVESH KUMAR SINGH @ ANURAG SINGH @ DEVESH KUMAR S/O SUBODH KUMAR SINGH
 2. SAURABH KUMAR @ SAURAV KUMAR S/O BINOD KUMAR @ BULLU SINGH
- BOTH PETITIONER NO.1 AND 2 ARE R/O VILLAGE- TEKPUR, P.S- NARHAT (SITAMARHI), DISTT.- NAWADA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar, Advocate

For the Opposite Party/s : Ms.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-08-2023 Heard the parties.

The petitioners are in judicial custody in connection with Narhat (Sitamarhi) P.S. Case No.257 of 2023 instituted under Sections 395 of the IPC lodged on 10.06.2023 by the informant Anil Yadav.

As per the prosecution, story the informant alleged that when he was moving on a pick-up van on National Highway-82, four boys on two motorcycles overtook and snatched cash and gazettes besides mobile. On alarm, the police came, although two managed to escape, the petitioners herein were apprehended and the looted materials recovered/seized. This led to the FIR.



It is the case of the petitioners that they are young persons, were moving on motorcycle, the accused persons escaped, they were standing, already suffered by being in custody since 11.06.2023 (para-11 of the petition) though they don't have criminal antecedent.

Learned APP opposes the prayer for bail stating that they have apprehended from the spot.

Considering the fact that both the petitioners are students, young aged 23 and 21 years, do not have criminal antecedent, have remained in custody since 11.06.2023, will be facing the trial, this Court is inclined to grant them privilege of bail.

Let both the petitioners be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Narhat (Sitamarhi) P.S. Case No.257 of 2023 to the satisfaction of learned Judicial Magistrate, Ist Class, Nawada, subject to following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every month for a year to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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