

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57365 of 2023

Arising Out of PS. Case No.-146 Year-2023 Thana- BARURAJ District- Muzaffarpur

1. Sujeet Kumar S/O Lal Babu Rai
 2. Sanjay Kumar S/O Raj Kishore Rai
- Both R/O Village- Nawanagar Nijamat, P.S. Sahebganj, Dist. Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

2. The petitioners seek bail, who are in custody since
07.07.2023 in connection with Baruraj P.S.Case No.146 of
2023, F.I.R. dated 05.07.2023 registered for the offence
punishable under Sections 379,411/34 of the Indian Penal
Code.

3. Allegation against the petitioners is that he
alongwith one another have committed theft worth of Rs.4.5
lakhs by loading from auto at the Reliance Retail Ltd. Smart
Point.

4. Learned counsel appearing for the petitioners
submits that the petitioners have clean antecedent and they have



falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. Further submits that some looted articles have been recovered from the house of the petitioners and the same is not put on T.I.P. as yet and the petitioners are in custody since 07.07.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the aforesaid fact, let the petitioners, above named, be released 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 learned J.M. 1st Class, (West), Muzaffarpur in connection with Baruraj P.S.Case No.146 of 2023, with the following conditions:-

(I) 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 on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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