

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66625 of 2022

Arising Out of PS. Case No.-780 Year-2022 Thana- SHERGHATI District- Gaya

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1. Santosh Kumar Son of Rambhavan Yadav Resident of Village - Sakarpur, P.S.- Belaganj, District - Gaya.
 2. Mahesh Kumar Son of Rambali Yadav Resident of Mohalla - Kako Gulamichak, P.S.- Kako, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 285, 379, 413, 414/34 of the Indian Penal Code.

Allegation against the petitioners is that they along with other co-accused persons were involved in selling diesel illegally and from the place of occurrence 8000 litres diesels were recovered.

Learned counsel for the petitioners submits that the petitioners have clean antecedents and they has been falsely implicated in the present case. He further submits that it



appears from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioners or the house of the petitioners rather recovery has been made from the backside of the Hotel and the petitioners are employees of the Hotel and they have no concern at all with the alleged recovery of articles. He further submits that the police after investigation submitted chargesheet against the petitioners and the petitioner is in custody since 30.08.2022.

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

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sherghati (Dhobhi) P.S. Case No. 780 of 2022, with the following conditions :-

(1) 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 bonds shall be cancelled by the



Court below.

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

(3) 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 antecedents, 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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