

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72706 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- BITHAN District- Samastipur

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1. Jito Kumar Yadav, Son of Makeswar Yadav, Resident of Village - Bithan, Police Station - Bithan, District - Samastipur
 2. Dikshan Kumar Yadav, Son of Ram Padarath Yadav, Resident of Village - Bithan, Police Station - Bithan, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-11-2023 1. Heard learned counsel for the Petitioners and
learned APP for the State

2. The Petitioners apprehend their arrest in connection with Bithan P.S. Case No. 02 of 2023 registered for the offences punishable under Sections 379, 411, 414 read with Section 34 of the Indian Penal Code.

3. The main submissions advanced by learned counsel for the petitioners are that the instant matter relates to the incident of theft committed in respect of two *water motor pumps* and during search, both the stolen motor pumps were recovered near a bridge where the petitioners were practising for physical test for a government job, in the meantime the informant found them in suspicious condition and thereafter



raised suspicion over the petitioners and after the institution of the FIR, he realized his mistake and filed a compromise petition before the court below. Further submissions are that the petitioners are young persons and preparing for competitive examination and they have got no criminal antecedent.

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

5. Considering the above submissions and mainly taking into account the petitioners’ fair and clean antecedent and their young age, this Court is inclined to accept the petitioners’ prayer for anticipatory bail. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Bithan P.S. Case No. 02 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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