

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78592 of 2023

Arising Out of PS. Case No.-97 Year-2023 Thana- DARPA District- East Champaran

1. Upendra Kumar Son Of Chhabila Yadav @ Chhabila Rai @ Ramchhabila Yadav R/O Of Village- Gamhariya Kala, P.S.- Darpa, District- East Champaran
2. Vikash Kumar Son Of Lalbabu Yadav R/O Of Village- Gamhariya Kala, P.S.- Darpa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-12-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 457 and 380 of the Indian Penal Code.

As per allegation in the FIR, informant's uncle Lalbihari prasad had gone to Delhi for two months and in his absence someone has committed theft in his house of T.V., Inverter, Battery, Motor, cash of Rs. 12,000/- etc.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. Neither the petitioners are named in the FIR not put on TIP.



There is no eye witness of the alleged occurrence. Police has arrested the petitioners on the basis of suspicion with ulterior motive. Nothing has been recovered from their conscious possession. This case is triable by learned judicial magistrate. Petitioners have got no criminal antecedent and languishing in judicial custody since 19.8.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Raxaul at Motihari in connection with Darpa P.S. Case No. 97 of 2023.

(Sunil Kumar Panwar, J)

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