

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1149 of 2023

Arising Out of PS. Case No.-163 Year-2022 Thana- CHAUSA District- Madhepura

1. SUMIT KUMAR Son of Nandkishor Yadav R/V- Loualagan East Ward no. 3, PS- Chousa, Dist- Madhepura.
2. Raja Kumar Son of R/V- Ambika Yadav Bhatgama, Ward no. 12, P.S- Chousa, Dist- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh, Adv.

For the Opposite Party/s : Mr.J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 28-04-2023 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

The petitioners are seeking regular bail in connection with Chousa P.S. Case No. 163 of 2022, registered for offence punishable under Section 414 of the Indian Penal Code.

The allegation against the petitioners is that they committed theft of 40 litres of transformer oil.

The learned counsel for the petitioners has submitted that the motor cycle, wherefrom 40 litres of transformer oil was recovered, was not belonging to the petitioners, rather it belongs to the brother of petitioner Sumit Kumar. The petitioners are under custody since 27.07.2022 and they are the persons of clean antecedents.



Considering the above-mentioned facts and circumstances, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Udakishunganj, District-Madhepura in connection with Chousa P.S. Case No. 163 of 2022, subject to the following conditions:-

- (i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.
- (ii) If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.
- (iii) If it is found that the petitioners are involved in any other case except the present one, the learned court below shall take appropriate steps, including cancellation of their bail bonds.**

(Nawneet Kumar Pandey, J)

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