

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32326 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- GORAUL District- Vaishali

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1. Sunil Kumar son of Rambalak Rai Resident of Village- Baghi, P.S.- Maniyari, Dist.- Muzaffarpur
 2. Pratik Yadav @ Sajjan Kumar Son of Rampravesh Rai Resident of Village- Baghi, P.S.- Maniyari, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rishi Sinha, Adv.

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-05-2024 Heard Mr. Rishi Sinha, learned Advocate for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Goraul (Kathara O.P.) P.S. Case No. 85 of 2024, registered for the offences punishable under Sections 413, 414, 34 of the Indian Penal Code.

3. In course of patrolling, when the police personnel reached near village Karauna Chowk, they found that 3-4 persons were indulged in tampering with the number plate of Bolero pick up van near the motor garage. Noticing the police personnel, some of the accused persons succeeded in fleeing



way. However, two of the persons were caught who disclosed the name of the petitioners.

4. Learned Advocate for the petitioners contended that save and except the disclosure made by the apprehended persons there is no material suggesting the complicity of the petitioners. During the course of investigation, it has not come that the alleged Bolero pick up van in question is a stolen property. It is further contended that no incriminating material has been recovered from the whereabouts of the petitioners and in fact on account of past criminal antecedent of the petitioners, their names have been implicated in the present crime. Learned counsel for the petitioner also drew the attention of this Court to the seizure list and submitted that there are various infirmities, apart from non-compliance of Section 100 of the Cr.P.C.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the names of the petitioners have been implicated only on account of the disclosure made by the apprehended persons and there is no other material, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court



below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Vaishali at Hajipur in connection with Goraul (Kathara O.P.) P.S. Case No. 85 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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