

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39213 of 2024

Arising Out of PS. Case No.-264 Year-2023 Thana- PIPRA District- East Champaran

1. Nagi Mahto S/o Suresh Mahto @ Suresh Mahato R/o Village- Pakri Dumariya, P.S.- Dumariyaghat, District-East Champaran.
2. Dharmendra Mahto S/o Langar Mahto R/o Village- Pakri Dumariya, P.S.- Dumariyaghat, District-east champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in Pipra P.S. Case No. 264 of 2023, instituted for the offences punishable under Sections 457 and 380 of the Indian Penal Code.

3. The prosecution case, in short, is that, twenty quintals of rice were stolen from two schools.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No



incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners further submitted that the petitioners are not named in the F.I.R. The petitioners were remanded in this case from Pipra P.S. Case No. 266 of 2023. No recovery of stolen articles have been made from the possession of the petitioners. The petitioners were remanded in this case on 11.02.2024 and have got three criminal antecedents in which they are on bail in two cases.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pipra P.S. Case No. 264 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every



date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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