

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44389 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- BANJARIA District- East Champaran

1. Ritesh Raj S/O Rajendra Prasad R/O Village-Bal barharwa,P.S.-Malahi,Distt-East Champaran
2. Aman Raj S/O Rajendra Prasad R/O Village-Bal barharwa,P.S.-Malahi,Distt-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.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 15-07-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Banjariya P.S. Case No. 58 of 2024 dated 18.04.2024 registered for the offences punishable under Sections 420, 413, 414 and 379/34 of the Indian Penal Code.

3. As per the prosecution case, a Bolero bearing Registration No. BR09K7509 of the informant was taken away by these petitioners for the purpose of selling it. After three months, they neither returned the said vehicle nor paid money to the informant.



4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. As per the order dated 26.06.2024 passed by the learned Judicial Magistrate 1st Class, Motihari at East Champaran (Annexure-3), the said vehicle has already been released in favour of the informant, as such there is no allegation against them. The petitioners have two criminal antecedents and in which they are on bail as stated in para 2 of the supplementary affidavit. The petitioners are in custody since 19.04.2024.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran in connection with Banjariya P.S. Case No.58 of 2024, with a condition:-

(i). The petitioners are directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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