

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56949 of 2024

Arising Out of PS. Case No.-130 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

1.

Kuldeep Yadav son of Marahu Yadav @ Marachhu Village- Kajipur Ps- Saiyadraza Dist- Chandauli U.P
2.

Sushil Yadav son of Jagarnath Yadav Village- Pareva Ps- Saiyadraza Dist- Chandauli U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ashutosh Tripathy, Advocate
For the State	:	Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in Durgawati P.S. Case No. 130 of 2024, instituted for the offences punishable under Sections 414, 467 and 468 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioners along with other co-accused person was having tea at a tea stall where the police party came and enquired about the parked motorcycle in front of them. The accused persons failed to produce any valid documents of the same and was apprehended.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. It is further submitted that the motorcycle was not recovered from the possession of the petitioners. The petitioners are in custody since 08.05.2024 and has got one criminal antecedent. Other co-accused has been granted bail by this Court *vide* order dated 10-07-2024, passed in Cr. Misc. No. 47977 of 2024.

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, claim based on parity 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Durgawati P.S. Case No. 130 of 2024, 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)

Raj Kishore/-

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