

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24382 of 2016

Arising Out of PS.Case No. -114 Year- 2003 Thana -BEGUSARAI TOWN District- BEGUSARAI

1. Nitish Kumar @ Nitish Chaudhary
2. Sanjay Kumar @ Sanjay Chaudhary
both sons of Banarshi chaudhary

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Smt.Veena Rani Pd.(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-05-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 420, 379, 406/34 of the Indian Penal Code. Subsequently, section 411 IPC was also added.

Prosecution case is that on 30.03.2003 at about 10.00 AM co-accused Md Taslim handed over a stolen bank draft of Rs. 1,46,000/- to the informant and took 360 bags of cements from the informant. The petitioners were not named in the FIR, his name subsequently sprang up on the confession of co-accused Kira Singh, that the petitioners were also with him while the alleged draft being handed over to the informant.

It is submitted by learned counsel for the petitioners

that there is nothing on record to suggest that the petitioners participated in the occurrence. Moreover, co-accused Harendra Singh @ Hari Singh, from whom cement has been recovered, has been granted anticipatory bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No.18562/2015.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Begusarai, in connection with Town (Begusarai) P.S. Case No.114/2003, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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