

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 517 of 2016

1. Pawan Kumar
2. Suman Kumar Singh

..... **Petitioners**

The State of Jharkhand

-Versus-

..... **Opposite Party**

CORAM : HON'BLE MR. JUSTICE RATNAKER BHENGRA

For the Petitioners : Mr. Rahul Kumar, Advocate
For the State : APP

05/31.03.2016

Anticipatory bail application has been filed on behalf of petitioners namely Pawan Kumar and Suman Kumar Singh who are apprehending their arrest in connection with Mandu(West Bokaro) P.S. Case no. 477 of 2015 corresponding to G.R. Case no. 4410 of 2015 for the offence registered U/S. 379/411 of the Indian Penal Code.

Heard both sides.

Learned counsel for the petitioners has submitted that it would be evident from the FIR itself that the vehicle in question is registered in the name of one Shashi Santosh Ray and the police have unnecessarily dragged the petitioners in this case. Nothing has been recovered from the possession of the petitioners. Further there is no theft report of the seized items. Therefore, ingredients of Section 379 and 411 of IPC is lacking.

Learned counsel for the State opposes the bail petition and submitted that para 15 of the case diary shows an agreement between Shashi Santosh Ray and the petitioners. Therefore, vehicle definitely belongs to the petitioners from which stolen items were seized.

Having heard counsel for both sides and considering the facts and circumstances of the case, the petitioners above named are directed to surrender in the court below within three weeks from today and in the event of their arrest/surrender, the court below is directed to enlarge them on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand)each with two sureties of the like amount each to the satisfaction of A.C.J.M., Ramgarh in connection with Mandu(West Bokaro) P.S. Case no. 477 of 2015 corresponding to G.R. Case no. 4410 of 2015, subject to the conditions as laid down under section 438 (2) of the Code of Criminal Procedure.