

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21142 of 2016

Arising Out of PS.Case No. -131 Year- 2016 Thana -KANKARBAGH District- PATNA

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Sahil Kumar son of Kamla Prasad, Resident of village- Sorangpur, Devi
Asthana, P.S.- Ram Krishna Nagar, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh

For the Opposite Party/s : Mr. Vinod Shanker Modi (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 19-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Kankarbagh P.S. Case No. 131/2016 registered for offences under sections 461, 379, 511, 414/34 of the Indian Penal Code.

On 25/26.02.2016, the Police party was in patrolling duty and when they reached Ram Lakhan Path near plastic shop of Kamal Kishore, four persons were seen to be moving in a suspicious circumstance, they were chased in which two persons fled away and two persons were arrested and from their possession Nokia mobile phones as well as motor cycles were recovered, as per the Police, the aforesaid material belongs to these petitioners, but Police in the first information report says that mere to the

place where the petitioners were apprehended, one shop was broken.

The counsel for the petitioner submits that save and except motor cycles and mobiles, nothing has been recovered from the possession of the petitioner and he has no criminal history.

Looking to the facts and circumstances of the case, let the petitioner, above named be released on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Smita Raj, Judicial Magistrate 1st class, Patna in connection with Kankarbagh P.S. Case No. 131 of 2016, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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