

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22584 of 2016

Arising Out of PS.Case No. -236 Year- 2015 Thana -NATHNAGAR District- BHAGALPUR

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1. Gaurav Kumar, S/o Late Ajay Mandal, Resident of Village- Purani Saray,
P.S. Nath Nagar (Madhusudanpur), District- Bhagalpur... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Renu Kumari(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 25-05-2016

Heard learned counsel for the petitioner and learned

counsel representing the State.

The petitioner seeks bail in connection with Nathnagar
(Madhusudanpur) P.S. Case No. 236 of 2015 registered for the
offences punishable under Sections 413 and 414/34 of the Indian
Penal Code.

Allegedly, the petitioner and three co-accused namely
Fantush Kumar, Bhagwat Mandal and Mukesh Mandal were
apprehended and from Magic vehicle High Tension wire 500
meter was recovered which was stolen from NTPC Tower.

Submission is of false implication and that the petitioner
has been made victim of circumstances, nothing has been
recovered from conscious possession of the petitioner and only on
suspicion the petitioner is suffering in custody since 27.10.2015
whereas co-accused Fantush Kumar and Bhagwat Mandal who

were also apprehended with the petitioner have already been allowed bail by the court below itself vide B. P. No. 74 of 2016 to which learned APP fairly submits that two co-accused have already been allowed bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 4th Additional Sessions Judge, Bhagalpur in S. Tr. No. 169 of 2016 arising out of Nathnagar (Madhusudanpur) P.S. Case No. 236 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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