

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50905 of 2016

Arising Out of PS.Case No. -200 Year- 2016 Thana -GAURICHAK District- PATNA

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1. Lalan Prasad @ Lalan Prasad Sah S/o Late Shiv Nath Prasad Resident of
Diwan Mohalla, Mozer Ghat, P.S.- Khajekalan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madheshwar Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh,A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 22-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
05.09.2016 in connection with Gaurichak P. S. Case No. 200 of
2016 registered for the offence punishable under Sections 386,
419, 420, 467, 468, 471, 120 (B) and 34 of the Indian Penal Code.

The prosecution case as lodged by the police
personnel is that on secret information, main Road of N.T.P.C.
was checked and the petitioner and six other accused were found
to be impersonating as District Transport Officer and from the
possession of the petitioner one mobile, one laptop, one
motorcycle and receipt book was recovered.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has no criminal history and there is no allegation of collecting toll tax by the petitioner from passersby. It has further been submitted that one of the co-accused has since been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 52503 of 2016 dated 13.12.2016 and that charge sheet has already been submitted, hence there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since charge sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st class, Patna City in connection with Gaurichak P.S.Case No. 200 of 2016, subject to the condition that the petitioner will file an undertaking duly supported by his personal affidavit before the Trial Court and he will appear physically before the Court below on each and every date till the disposal of the case and in case of failure to appear on two consecutive dates without assigning any reason will entail



cancellation of his bail bond. The further condition is that one of the bailors must be a close relative of the petitioner and other bailors would have sufficient immovable property within the jurisdiction of the concerned police station/Court. If the petitioner is found to have indulged in similar type of offence in future, his bail bonds are liable to be cancelled.

(Nilu Agrawal, J)

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