

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39534 of 2016

Arising Out of PS.Case No. -61 Year- 2016 Thana -SUPAUL District- SUPAUL

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1. Nandan Kumar Son of late Parmanand Poodar Resident of Village -Rota
P.S- Sour Bazar, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 28-11-2016 Heard both sides.

The petitioner seeks bail in Supaul P.S. case No. 61
of 2016 under Section 392 of the Indian Penal Code.

The petitioner is not named in the FIR. The petitioner
was apprehended in Supaul P.S. case No. 62 of 2016 and from his
possession one mobile was recovered. It is said that the aforesaid
mobile was looted in Supaul P.S. case No. 61 of 2016.

The learned counsel for the petitioner submits that
petitioner was not put on T.I. parade. The petitioner is in jail since
05.02.2016 and similarly situated co-accused Rajeev Yadav and
Mithilesh Yadav have already been granted bail by different
Benches of this court.

The learned Additional Public Prosecutor, on the

other hand, opposed the prayer for bail and submitted that looted mobile of Supaul P.S. case No. 61 of 2016 was recovered when the petitioner was arrested in Supaul P.S. case No. 62 of 2016 and witnesses have identified the petitioner while he was fleeing away.

Considering the fact that similarly situated accused persons have already been granted bail and petitioner is in jail for about ten months, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in Supaul P.S. Case No. 61 of 2016.

(Prabhat Kumar Jha, J)

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