

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51092 of 2016

Arising Out of PS.Case No. -187 Year- 2016 Thana -NATHNAGAR District- BHAGALPUR

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Chandan Kumar, son of Binod Das, resident of C.T. Cane Champa Nagar
(Nagar Chouk), P.S. Nath Nagar, District Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Smt. Sucheta Yadav, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-11-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
04.07.2016 in connection with Nath Nagar P.S. Case No. 187/16
for offences punishable under Sections 457, 380, 401 and 411 of
the Indian Penal Code.

The prosecution case, as lodged by the informant
is that several household articles including LED T.V., T.V. set of
box, home theatre have been stolen by the petitioner and one
Sanni Yadav.

It has been submitted by the learned counsel for
the petitioner that there is inordinate delay of about 20 days in
lodging the First Information Report, which creates doubt
regarding the prosecution story. He submits that nothing

incriminating has been recovered from his possession and the person, on whose possession LED TV was recovered, has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 37971 of 2016 on 23.09.2016. It is further submitted that petitioner has no criminal history and the charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

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

Considering the facts and circumstances and that another co-accused has since been granted the privilege of bail, let petitioner, above named, 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 learned Addl. Chief Judicial Magistrate, Bhagalpur, in connection with Nath Nagar P.S. Case No. 187/16.

(Nilu Agrawal, J.)

Rajesh/-

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