

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37971 of 2016

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

1. Raj Kumar @ Tunna @ Tunwa @ Tunna Kumar Son of Late Saryug
Ravidas Resident of Mohalla- Champanagar, C.T. Lane, P.S. Nath Nagar,
District- Bhagalpur. Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

Mr. Sanjee Kumar

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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

ORAL ORDER

2 23-09-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Nathnagar P.S.
Case No. 187 o 2016 registered for the offences punishable under
Sections 457, 380, 401, 411 of the Indian Penal Code.

The petitioner is not named in the first information report
but during investigation his name transpired in the confessional
statement of FIR named accused namely, Chandan Kumar and one
LED TV of Panasonic Company was recovered from the house of
the petitioner.

Submission is of false implication and that the TV which
has been recovered from possession of the petitioner does not tally
with the TV mentioned in the first information report. This TV is
of the petitioner which is evident from the copy of seizure list and

copy of FIR itself. Without any fault the petitioner is suffering in custody since 04.07.2016. The petitioner has got no criminal antecedent and he has been made victim of circumstances.

Learned APP after perusal of the FIR and seizure list fairly submits that the model number and serial number of TV does not tally.

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 Additional Chief Judicial Magistrate, Bhagalpur in connection with Nath Nagar P.S. Case No. 187 of 2016, 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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