

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52386 of 2016

Arising Out of PS.Case No. -155 Year- 2016 Thana -BARAULI District- GOPALGANJ

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1. Jitendra Kumar, son of Kishore Yadav, resident of Village- Harbasa, P.S. and District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta, Advocate

For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 26.07.2016 in connection with Barauli P.S. Case No. 155 of 2016 (G.R. No. 2277 of 2016) registered for the offence punishable under Sections 401,413, 414, 411, 420, 467, 468 and 471 of the Indian Penal Code.

The prosecution case as lodged by the informant, S.H.O., Barauli P.S. is that during course of raid the petitioner was apprehended along with twenty other co-accused persons. He was possessing one passion motorcycle.

Learned counsel for the petitioner submits that he is innocent and there is no criminal history and as many as twenty



persons are named accused in the F.I.R. and some have been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 51022 of 2016 on 29.11.2016 and Cr.Misc. No. 47093 of 2016 dated 08.12.2016. He further submits that charge sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. He submits that he has no knowledge that the motorcycle was a theft motorcycle.

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 other co-accused on similar allegation have since been granted the privilege of bail, 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 Chief Judicial Magistrate, Gopalganj in connection with Barauli P.S.Case No. 155 of 2016 (G.R. No. 2277 of 2016).

(Nilu Agrawal, J)

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