

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30082 of 2016

Arising Out of PS.Case No. -43 Year- 2015 Thana -SULTANGANJ District- PATNA

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1. Gautam Singh @ Gautam Kumar s/o Balmiki Singh R/o Gaura P.S.-
Teghra District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Zonal Manager Sultanganj Mahendru Dist- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.S.N.P.Sinha
Ms. Rina Sinha
For the State Mr. Mithilesh Kumar Khare
For State Bank of India Mr. Anjani Kumar Mishra

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 06.10.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under section 379
of the Indian Penal Code.

Petitioner is not named in the first information report but in
course of investigation, it came to light that some persons were
arrested by Gujrat police in similar type of offences committed by
them and thereafter, petitioner and some others were remanded in
Digha P.S. Case no. 80/2015 and again, they were remanded in the
present case. The CCTV footage collected by I.O was shown to co-
accused Md. Soaib Sheikh who identified him as well as photograph
of the petitioner but admittedly, in CCTV footage face of the
petitioner was found covered by handkerchief. Subsequently, it is

stated that the petitioner, too, identified himself in CCTV footage.

Learned Addl. Public Prosecutor, on the basis of the aforesaid materials, opposed the prayer but from perusal of the case diary, it would appear that except the aforesaid material as well as criminal antecedent and confessional statement, there is nothing against the petitioner.

Moreover, it is informed that the petitioner has already been granted the privilege of bail in Digha P.S. Case no. 80/2015 as well as in almost all cases and similarly, co- accused have already been released on bail by different benches of this court.

Considering the above stated facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Sri Ashutosh Kr. Rai, Judicial Magistrate, Ist Class, Patnacity in Sultanganj P.S. Case no. 43/2015 subject to the conditions that he shall not leave the State of Bihar without prior permission of the court below and furthermore, petitioner shall attend the learned trial court in person on each and every date for the period of nine months or till conclusion of his trial whichever is earlier and if he fails to do so on two consecutive dates without any reasonable explanation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after due and proper enquiry.

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(Hemant Kumar Srivastava,J)

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