

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47450 of 2016

Arising Out of PS.Case No. -53 Year- 2016 Thana -SACHIWALAYA District- PATNA

Vicky Mishra, son of Late Maya Mishra, Resident of Village/Mohalla-R
Block, Beerchand Patel Path, Infront of Ravindra Bhawan, P.S.-Kotwali,
District-Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 29-11-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in custody since
17.06.2016 in connection with Sachivalaya P.S. Case No. 53/16
for offences punishable under Section 414 of the Indian Penal
Code.

The prosecution case is that the police acting on
tip off that some persons are selling stolen mobiles at R-block
round about, apprehended the petitioner and one Futti Tiwary.
From the possession of the petitioner four mobile phones were
recovered and from the possession of another co-accused some
mobile phones and ornaments were recovered.

It has been submitted by the learned counsel for
the petitioner that he is innocent and has falsely been implicated in

the aforesaid case. He has no criminal history and that the mobile phones recovered from the petitioner are not the subject matter of any case of theft. He further submits that the charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. It has further been submitted that another co-accused Futti Tiwary has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 39523 of 2016 on 17.09.2016.

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 since on similar allegation another co-accused has 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 Judicial Magistrate, 1st Class, Patna in connection with Sachivalaya P.S. Case No. 53/16.

(Nilu Agrawal, J.)

Rajesh/-

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